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EARLY DIPLOMATIC NEGOTIATIONS OF THE UNITED STATES WITH RUSSIA

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PREFACE.

In this introductory study of the relations of the United States with Russia it is proposed to narrate the history of the rise and progress of the early diplomatic relations of the American government to that country and the steps by which the negotiations were carried forward. The policy of a nation cannot be read in its treaties alone. Nor is diplomatic history to be written merely from negotiations that have been brought to a successful conclusion. It is in the unsuccessful negotiations together with the completed ones that the aims and ambitions of a government are shown. In this investigation the chief sources of information are in the diplomatic archives of the Department of State, at Washington. Wherever any of these have been published I have endeavored, for the convenience of the reader, to give the reference to the most available printed source. I am deeply grateful to Mr. Pendleton King, Chief of the Bureau of Indexes and Archives of the Department of State, for permission to examine the archives in his charge, and to Mr. George H. Schultze, of the same Department, for his very courteous assistance. I am also obliged to Professors J. M. Vincent, W. W. Willoughby, and Dr. J. S. Reeves for reading my manuscript and for their suggestions, and also to Professor A. C. McLaughlin for information as to the letters of William Short. This study was the outcome of reports in the American History Seminary of the Johns Hopkins University, and I am under the greatest obligations to Professor J. C. Ballagh, without whose scholarly advice and constant encouragement it would never have been completed.

J. C. H.

EARLY DIPLOMATIC NEGOTIATIONS OF THE UNITED STATES WITH RUSSIA.

CHAPTER I.

Dana's Mission to Russia.

As early in the Revolution as December, 1776, Congress thought of sending a minister to Russia.[1] The American commissioners at Paris had advised that, "if expense was no objection," Russia should not be neglected with regard to a minister.[2] But none was sent. This was due possibly to the expense and probably to the opinion which lasted down into 1779 that Russia was at least apathetic, if not hostile to the United Colonies. It was known that England was negotiating with her for an alliance; and it was widely reported that she would send twenty thousand Russian soldiers to America.[3] But as time went on it became known that England could not secure any assistance from Russia, while the American agents in Europe reported that the Empress Catherine was no longer favorably disposed toward Great Britain.[4]

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[1] Committee of Secret Correspondence to Commissioners at Paris. Dec. 30, 1776. Wharton, Diplomatic Correspondence of the American Revolution, vol. 2, p. 241.

[2] Franklin and Deane to Committee of Secret Correspondence. March 12, 1776. Ib., p. 288.

[3] J. Adams to President of Congress. Aug. 4, 1776. Life and Works of John Adams, vol. 4, pp. 108-109; Arthur Lee to Deane. Oct. 4, 1776. Deane Papers in the Collections of the New York Historical Society, vol. 1, p. 304; Deane to Secret Committee. Paris, Dec. 1, 1776. Ib., p. 382; Deane to Dumas. Jan. 7, 1777. 2 Ib., p. 69; Franklin and Deane to Secret Committee. March 12, 1776. Wharton, Dip. Cor. Rev., vol. 2, p. 288; Washington to R. H. Lee. Nov. 18, 1777. Sparks, Writings of George Washington, vol. 5, p. 159.

[4] Arthur Lee to Committee of Foreign Affairs. Paris, Nov. 27, 1777. Wharton, Dip. Cor. Rev., vol. 2, p. 429; Franklin, Lee, and

In order to protect her growing commerce, which had suffered losses and inconveniences from both England and France and her allies, the Empress Catherine of Russia published on March 8 (N. S.), 1780, a declaration in which she stated the following principles, viz., that neutral ships should enjoy a free navigation even from port to port and on the coast of belligerent powers; that free ships freed all goods except contraband; that contraband goods were arms and ammunitions of war and nothing else; that no port was blockaded unless the enemy's ships in adequate number were near enough to make the entry dangerous. These principles were to rule decisions in the legality of prizes, and the Empress expressed her determination to maintain them by force of arms.[5] Copies of this declaration were sent by the Empress to the neutral and belligerent powers but not to the United States, as she had not yet recognized them as a nation. Russia then hastened to invite the neutral maritime nations of Europe to unite with her in supporting the rules which she had proclaimed. Sweden and Denmark complied and in July, 1780, agreed, by mutual treaties, to support each other by reprisals and other means against all and every attack.[6]

To John Adams, then in Paris, it appeared that this declaration by Russia would have a very favorable influence upon the American struggle for independence. He wrote to Congress that this position would be more beneficial to the United States than to any other nation, as they would be carriers and, he hoped, neutrals forever, and that it would destroy all hope of aid for England from Russia and at the

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Adams to President of Congress. Passy, Nov. 7, 1778. 2 Ib., p. 831; J. Adams to President of Congress. Aug. 4, 1779. 3 Ib., pp. 279–285; same to same; Corunna, Dec. 16, 1779, Ib., p. 428; same to same; Paris, Feb. 20, 1780, Ib., p. 509. E. Boudinot to his wife. March 5, 1779. Boudinot, Life of Elias Boudinot, vol. 1, pp. 177–178.

[5] J. Adams to President of Congress. Paris, April 10, 1780. Wharton, Dip. Cor. Rev., vol. 3, pp. 606–607; Bancroft, History of the United States, vol. 10, pp. 280–281.

[6] 10 Bancroft, p. 429.

same time force the other maritime powers of Europe to become neutrals or join against England.[7] From Amsterdam he wrote that, according to a report from London, one of the first acts of the Maritime Confederacy, as the alliance between Russia, Sweden, and Denmark was called, would be the acknowledgment of American independence; and that he wished that the United States had a minister in Russia.[8]

The news of the Empress's declaration reached the United States during one of the dark periods of the Revolution. The fall of Charleston had placed the South under the control of the British. On August 16, 1780, the American army under Gates was crushingly defeated at Camden. If there was any advantage to be gained from the Russian declaration Congress determined to obtain it. On October 5, 1780, Congress passed a resolution by which the board of admiralty were to prepare for the commanders of the "armed vessels commissioned by the United States" instructions conformable to the principles of the Empress of Russia's declaration. In addition the ministers plenipotentiary of the United States were empowered to accede, if invited to do so, to such regulations which might be agreed upon by a congress which was expected to meet at the invitation of the Empress, provided they conformed to the spirit of the declaration.[9]

In accordance with its over-zealous policy of sending ministers to those courts of Europe at which there appeared the slightest prospect of obtaining aid or recognition, Congress, on December 15, 1780, decided to send a minister to Russia, and on the following Monday, December 19, Francis Dana of Massachusetts was selected.[10]

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[7] J. Adams to President of Congress. April 26, 1780. Wharton, Dip. Cor. Rev., vol. 3, p. 633.

[8] J. Adams to President of Congress. Sept. 16, 1780. Wharton, Dip. Cor. Rev., vol. 4, p. 57.

[9] Secret Journals of Congress, Foreign Affairs, vol. 2, p. 576; Journals of Congress, vol. 3, p. 534.

[10] Secret Journals of Congress, F. A., vol. 2, pp. 357, 358.

By his instructions Dana was informed that the great object of his mission was "to engage her Imperial Majesty to favor and support the sovereignty and independence of the United States" and to open up friendly relations between the two countries; and that it was "a leading and capital point that these United States shall be formally admitted as a party to the conventions of the neutral maritime powers."[11] In thus instructing Dana Congress misunderstood the nature of the confederation proposed by the Empress Catherine. The maritime convention was to be nothing more than an association of neutral powers to maintain their rights, and as long as the United States continued to be a belligerent it could make no formal accession to such a confederacy.[12]

In addition Dana was empowered to propose a treaty of amity and commerce with Russia which was to be "founded upon principles of equality and reciprocity and for the mutual advantages of both nations and agreeable to the spirit of the treaties existing between the United States and France."[13]

Dana was instructed to communicate his mission to the French minister at St. Petersburg and to find out through him the disposition of the Russian court towards the United States. If his inquiries led him to believe that he had "a fair prospect of an honorable reception," he was to announce his public character and present his letter of credence, together with the resolution of October 5, 1780, by which Congress declared its assent to the Empress's declaration of neutrality.[14]

Dana, who was in Paris as secretary to John Adams, did not receive the news of his appointment until about the middle of March, 1781.[15] Then, in accordance with his in-

[11] Ib., pp. 362–365.
[12] Dana, in a letter to Livingston, Sept. 5, 1782, calls attention to this fact. Wharton, Dip. Cor. Rev., vol. 4, p. 700.
[13] Secret Journals of Congress, F. A., vol. 2, pp. 358–359.
[14] Ib., pp. 362–365.
[15] Dana to President of Congress, March 24, 1781. Wharton, Dip. Cor. Rev., vol. 4, p. 325.

structions, he applied to Franklin and Adams for advice concerning his future course.[16] Franklin advised him to apply to Vergennes, the French minister of foreign affairs, for information as to whether it would be proper for him to communicate with the Russian court about the object of his intended visit, and to obtain its consent before he set out for that country.[17] Dana considered that such a communication to the Russian government would draw down upon his head an absolute prohibition.[18] He, therefore, only informed Count Vergennes of his mission to St. Petersburg and requested the advice and assistance of the French minister there, saying that it was not his intention to assume any public character on his arrival at the Russian capital but to appear only as a private citizen until his inquiries "should point out a ready and honorable reception."[19] At an interview on April 4, 1781, Vergennes, while he did not oppose Dana's mission, pointed out to him the difficulties which would lie in his way. He told Dana that, although the resolution of Congress concerning neutrality with which he was charged had been well received on the part of Russia, he did not approve of his going there in his public character but advised him, on the other hand, to consult the Russian minister at the Hague as to the propriety of his going as a private person proposing to make a trip to Russia.[20]

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[16] Dana's instructions, Dec. 19, 1780. Ib., p. 201. Franklin was then minister plenipotentiary to the Court of Versailles, and Adams minister to negotiate peace with Great Britain. Adams had also been appointed agent to Holland. Secret Journals of Congress, F. A., vol. 2, pp. 314–315.

[17] Dana to President of Congress. March 24, 1781. Ib., 326.

[18] Dana to President of Congress. March 24, 1781. Wharton, Dip. Cor. Rev., vol. 4, p. 326.

[19] Dana to Count Vergennes. March 31, 1781. Ib., p. 343.

[20] Dana to President of Congress. April 4, 1781. Ib., pp. 349–351. This resolution was that of October 5, 1780 (see page 11, above), copies of which John Adams had sent to Prince Gallitzin and Vergennes to Verac. J. Adams to Prince Gallitzin. Leyden, March 8, 1781. Wharton, Dip. Cor. Rev., vol. 4, pp. 275–276; Report of Communication from the French minister, July 23, 1781. Ib., p. 601.

Disappointed at this lack of encouragement, Dana again appealed to Franklin as to what course he should take. Franklin replied that although it would have been far better, in his opinion, if Congress had never issued commissions for ministers until they had first privately learned whether they would be received, yet, since Dana's commission was given, and Congress seemed to expect, although they did not absolutely require, that he should go immediately, he thought it would be right for him to go. He advised, however, that he go in the private character, unless Adams and Prince Gallitzin, the Russian minister at the Hague, should advise delay.[21]

Dana then turned to Adams for advice.[22] Adams counselled him to travel at once to St. Petersburg "in the character of a gentleman, without any distinction of public or private, as far as the publication of your appointment already made known in France will permit." He considered that it would be improper for Dana to communicate with either the Russian court or the Russian minister at the Hague; but that following out his instructions he should ask advice only of the French minister at St. Petersburg. "No measure of Congress," wrote Adams, "was ever taken in a more proper time and with more wisdom than the appointment of a minister at the Hague and at St. Petersburg."[23] This advice coinciding with his own opinion, Dana set out for Russia and reached St. Petersburg August 27 (N. S.), 1781.[24]

In the meanwhile the courts of St. Petersburg and Vienna had offered their mediation to France and England. In the

[21] Franklin to Dana. April 7, 1781. Wharton, Dip. Cor. Rev., vol. 4, pp. 353–354. ". . . I have long imagined that we let ourselves down in offering our alliance before it is desired, and that it would have been better if we had never issued commissions for ministers to the courts of Spain, Vienna, Prussia, Tuscany, or Holland, till we had first privately learnt whether our agents would have been received, since a refusal from one is an actual slight that lessens our reputation and makes others less willing to form connexions with us."

[22] Dana to Adams. April 18, 1781. Ib., p. 368.

[23] J. Adams to Dana. Leyden, April 18, 1781. Ib.

[24] Dana to Adams. St. Petersburg, Aug. 28, 1781. Ib., p. 679.

early part of March, 1781, Vergennes informed Franklin of this offer and told him that the king of France had answered that, while it would be agreeable to him personally, yet he could not accept it, because he had allies whose concurrence was necessary. Vergennes further told Franklin that the king desired him to urge Congress to send instructions accepting this proposal.[25]

Urged by France and influenced by the reports from the American ministers abroad that Russia was hostile to England, Congress, on June 8, 1781, instructed Jay, Jefferson, Laurens, Franklin, and Adams, the commissioners appointed to negotiate peace with Great Britain, to concur with the king of France in accepting the proposed mediation, but to undertake nothing without the knowledge and concurrence of the king's ministers.[26]

Every independent action on the part of the American ministers was most distasteful to the French cabinet. It was their desire that the American government should give its agents only broad outlines of its policy, and that in carrying this policy into effect the American ministers should receive their instructions from the French minister of foreign affairs and take no step without the consent of the French government.[27] While France had gone to war to secure American independence, it was her purpose that when the colonies had secured their liberty they should be bound by gratitude to follow her lead in international and commercial affairs.

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[25] Franklin to President of Congress. March 12, 1781. Wharton, Dip. Cor. Rev., vol. 4, p. 282; Secret Journals, F. A., vol. 2, pp. 418–419; Vergennes to Montmorin. Dec. 15, 1781. Doniol, Participation de la France à l'Établissment des États-Unis d'Amérique, t. 4, pp. 523–524.

[26] Secret Journals, F. A., vol. 2, pp. 434–435; Franklin to J. Adams. Aug. 16, 1781; President of Congress to Adams. June 20, 1781. John Adams, Works, vol. 7, pp. 456–457; Carmichael to Committee on Foreign Affairs. Jan. 4, 1781. Wharton, Dip. Cor. Rev., vol. 4, p. 227; same to same. Feb. 12, 1781. Ib., p. 265; same to same. March 4, 1781. Ib., p. 272.

[27] J. Adams to Livingston. Feb. 21, 1782. Ib., vol. 5, pp 198–199. Report of conference with French minister, Luzerne. May 28, 1781. Ib., vol. 4, pp. 456–457.

And so France did not desire the recognition of the United States by any other European power until it suited her interests, for she feared that as the allies of the new nation increased French influence would decrease in the same proportion.[28]

On May 28, 1781, the committee of Congress, which had been appointed to confer with the French minister in the United States, reported that the minister had communicated to them parts of a despatch from Count de Vergennes, dated March 9, 1781. In this despatch it was stated that it was the opinion of the king of France that Dana's appointment was premature, to say the least, and that he ought not to make any use of his powers at that time. And in case Dana should apply to the Count de Vergennes for advice he would be requested to delay his mission, as the Count believed that it would be disagreeable to Congress to have their dignity offended by the refusal which their plenipotentiary would be sure to receive.[29]

In the face of the disapproval of France, Dana arrived in St. Petersburg and, in accordance with the instructions of Congress, put himself into communication with the Marquis de Verac, the French minister there. Verac wrote him not to make known his mission nor to make any advances to the Russian court. For, he said, although the United States were to take part in the pacification and the mediators desired that the envoys of the United States should be admitted to the congress which was to regulate the pretensions of the belligerents, that they might there protect their own interests, yet Russia, carefully avoiding the slightest indication of partiality to either of the belligerent powers, would not be likely to recognize the minister of a power which had not yet in

[28] See Lyman's Diplomacy of the United States, vol. 1, pp. 91, 124–128, 429, and compare France's dissatisfaction at the Jay treaty. Schouler, History of the United States, vol. 1, p. 325.

[29] Report of conference with the French minister, Luzerne, May 28, 1781. Wharton, Dip. Cor. Rev., vol. 4, pp. 453–457. Vergennes did not, however, request Dana to defer his mission. See *ante*, p. 13.

her eyes a political existence, and thus expose herself to the complaints of the court of London.[20]

Such advice did not accord with Dana's ambitious plans. He answered that for the Empress to admit the United States to the congress was to rank them among the belligerents and was in a manner to acknowledge their independence. He proposed therefore to communicate confidentially to the proper minister of the Empress his public character and the general object of his mission, and to ask his advice as to the proper time for presenting to the Empress a short memorial on the state of the colonies and their prospects.[21]

Thereupon Verac replied that Dana did not seem to be correctly informed about the proposed pacification, for the mediating courts intended that the American envoys should treat only with the English; that the result of their negotiations should determine upon what footing the United States ought to be regarded by the other powers, and that their public character would be acknowledged without difficulty from the moment the English themselves interposed no objection. "It is therefore clear," wrote Verac, "that their (the mediators') design is to avoid compromitting themselves by acknowledging the independence of the United States until England herself shall have taken the lead."[22] Such being the opinion of the French minister, Dana determined to wait before taking his proposed step until the answer of the courts of Versailles and Madrid to the plan of pacification had been received.[23]

Dana had gone to Russia with the suspicion that France was jealous of his attempt to secure the recognition of American independence by Russia. He considered that this

[20] Dana to J. Adams. Aug. 28, 1781. Wharton, Dip. Cor. Rev., vol. 4, p. 679.
[21] Dana to Verac. Sept. 4, 1781. Ib., pp. 695–699.
[22] Verac to Dana. Sept. 12, 1781. Wharton, Dip. Cor. Rev., vol. 4, p. 706.
[23] Dana to Verac. Sept. 13, 1781. Ib., p. 707.

suspicion was confirmed by Verac's coldness and delay in answering his letters, and then by the fact that his mail had been opened in Paris.[34] Like Adams,[35] Carmichael,[36] and Jay[37], Dana saw that France did not desire the recognition of the independence of the United States until it suited her interest. He early perceived that he was not likely to receive any assistance from Verac and that he must proceed alone with his mission or remain totally inactive.[38]

Although actuated by selfish motives, the unwillingness of France to see Dana recognized by the Russian court was explained by Vergennes to be due to a desire to prevent his receiving a humiliating refusal which an application for reception at that time would have brought him.[39] Dana's appointment was premature. Russia had little to gain by the independence of the United States. It was the general opinion that American products would rival those of Russia in the markets of the world.[40] As an absolute monarch Catherine had a wholesome horror of rebels and could not be expected to aid them.[41] This was a period of Russian expansion in Poland, Turkey, and the Baltic Sea trade, and Catherine was not sorry to see her rivals there, France and England, weakened in any possible way. Hence, notwithstanding her aversion for rebels, she endeavored to frighten England into a humiliating peace by having expressed to the English minister at her court her wishes for the success of

[34] Dana to J. Adams. Aug. 28, 1781. Ib., p. 680; same to same. Oct. 15, 1782. Ib., vol. 5, p. 816; Verac to Dana. Sept. 12, 1781. Ib., vol. 4, p. 707.

[35] J. Adams to Livingston. Feb. 21, 1782. Ib., vol. 5, pp. 198–199; same to same. Sept. 6, 1782. Ib., p. 703.

[36] Carmichael to Livingston. Sept. 29, 1782. Ib., p. 785.

[37] Jay to Livingston. Sept. 18, 1782. Ib., p. 740.

[38] Dana to President of Congress. Sept. 15, 1781. Ib., vol. 4, p. 714.

[39] Secret Journals, F. A., vol. 2, pp. 415, 416.

[40] Deane to Jesse Root. May 20, 1781. Deane Papers, vol. 4, p. 354; Dana to Livingston. Sept. 29, 1782. Wharton, Dip. Cor. Rev., vol. 5, p. 780; J. Adams to President of Congress. Aug. 4, 1779. J. Adams, Works, vol. 8, pp. 108–109.

[41] Wharton, Dip. Cor. Rev., vol. 4, p. 714, note; The Nation, vol. 6, p. 468.

the Americans.[42] Yet, on the other hand, she would do nothing which would increase the prestige of France. England had offered the island of Minorca to Russia in return for aid, and finally renewed the offer of it to her if she should only affect a restoration of peace between Great Britain, France, and Spain on the *uti posseditis* basis. She made the express condition, however, that the French evacuate America, and that no stipulation or agreement whatever should be made with respect to his Britannic Majesty's rebellious subjects, who would never be permitted to treat through the medium of a foreign power.[43] Here was an opportunity of increasing the prestige of Russia and at the same time weakening France and England. If it could be accomplished by mediation the Empress would become the recognized leader in European affairs. At this juncture the United States sent a minister applying for recognition. By acknowledging American independence Russia would destroy all hope of England's ever submitting to her mediation. In refusing, therefore, to receive an American minister until England should take the lead (as Verac had informed Dana she would do), Russia took a position which was not only sustained by international law[44] but which was perfectly justifiable from the standpoint of Russian interests.

However irksome the advice of Verac may have been to Dana, in America it was considered sound and just.[45] Livingston, now secretary of foreign affairs, wrote to Dana that his suspicions with regard to France were considered by Congress as groundless, and that it was evident his zeal had biased his judgment.[46] By an earlier despatch he informed

[42] Sir James Harris to Viscount Stormont, March 24, 1780. Diaries and Correspondence of James Harris, Earl of Malmesbury, vol. 1, p. 289.

[43] Viscount Stormont to Sir James Harris. Jan. 20, 1781. Malmesbury Papers, vol. 1, pp. 373–375.

[44] Lawrence, Principles of International Law, p. 88.

[45] Livingston to Dana. May 10, 1782. Wharton, Dip. Cor. Rev., vol. 5, pp. 411–414.

[46] Ibid.

Dana that as the Empress, influenced perhaps by the ambition of being at the same time legislator and arbiter of Europe, wished to be the means of reëstablishing peace and to see her project of the armed neutrality successful, it could hardly be expected at that critical period that she would publicly receive a minister from the United States. Therefore Dana was to appear only in his private character until he had an absolute certainty that he would be received and acknowledged.[47] Two months later, after again rebuking Dana for his suspicions of France, Livingston instructed him to delay communicating his powers to the Russian court, if he had not yet done so, until the Marquis de Verac should consent or he should receive further orders from Congress.[48] A week later Congress passed a resolution by which Dana was ordered not to present his letter of credence until he had obtained assurance of his being duly received and recognized.[49]

After the receipt of the news of a change in the British cabinet Dana consulted Verac about disclosing his mission. Again Verac opposed such a step. Dana, however, believing that the question of commerce was the main obstacle which prevented Russia's recognition of the United States, drew up a memorial showing that the commerce of Russia would not suffer by the independence of America and had it communicated indirectly to the Russian cabinet. He was assured that it was not unacceptable.[50]

The long months of waiting became so tedious to Dana that had it not been for the positive orders of Congress he would have ventured to have demanded his recognition.[51] When the British commissioners had received powers to

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[47] Livingston to Dana. March 2, 1782. Wharton, Dip. Cor. Rev., vol. 5, p. 209.

[48] Same to same. May 10, 1782. Ib., pp. 411–414.

[49] Secret Journals, F. A., vol. 3, p. 133.

[50] Dana to Adams. April 23, 1782. Wharton, Dip. Cor. Rev., vol. 5, p. 323; Dana to Livingston. June 28, 1782. Ib., pp. 528–532.

[51] Dana to Livingston. Aug. 23 (Sept. 3), 1782. Wharton, Dip. Cor. Rev., vol. 5, p. 700; same to same, Sept. 23, 1782. Ib., p. 753.

enter into negotiations of peace with those of America, Dana again proposed to Verac that he should make known his mission, but the French minister persisted in his objections.[52]

Bound down to a state of inaction by the injunction given by Congress of absolute certainty of success,[53] Dana hailed with delight the news that the preliminaries of peace had been signed between the United States and Great Britain (November 30, 1782).

As the Russian ministry was well enough informed of his business,[54] Dana now expected to be received at court. He intended to return home after having made a commercial treaty with Russia, since Congress did not allow him money enough to live like the other ministers.[55] He determined to wait, however, for new instructions before he acceded to the armed neutrality, since the United States would have no longer any interest in it after the war was over. But he hoped to have its leading principles adopted in the commercial treaty and thus accomplish all the points of his mission in one treaty.[56] In order to obtain this treaty he would need to have 4500 pounds sterling, for it was the custom that every nation entering into a treaty with Russia should pay to the four principal Russian ministers 6000 rubles apiece.[57] This sum Franklin and Adams agreed to remit to him.[58]

When a copy of the preliminary treaty between England and the United States arrived, Verac said that though Dana might not now meet with an immediate refusal, yet his audience would be postponed upon various pretexts until the outcome of the negotiations of the European powers should

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[52] Same to same. Nov. 7/12, 1782. Ib., vol. 6, p. 54.

[53] Dana to Commissioners at Paris. Jan. 14, 1783. Ib., pp. 211–212.

[54] Dana to Adams. Jan. 4/15, 1783. Ib., p. 213.

[55] Dana to Livingston. Dec. 16/27, 1782. Ib., p. 170.

[56] Same to same. Dec. 19/30, 1782. Ib., p. 172; same to same. Jan. 3, 1783. Ib., p. 194; Dana to Adams. March 16, 1783. Ib., p. 306.

[57] Dana to Livingston. Aug. 23 (Sept. 3), 1782. Wharton, Dip. Cor. Rev., vol. 5, p. 701.

[58] Dana to Adams. Jan. 4/15, 1783. Ib., vol. 6, pp. 212–213.

be known in St. Petersburg, and that should the war be continued he would have no audience at all. Having Verac's opinion so fully on the subject, Dana thought that there could be no question but that it was his duty, in accordance with the orders of Congress, to await the issue of the negotiations.[59]

Then the news arrived in St. Petersburg that the preliminaries of peace between Great Britain, Spain, and France had been signed. Dana determined that he would delay no longer but would communicate his mission to the vice-chancellor, Count Ostermann.[60] Again he met with the opposition of the French minister, who advised that he wait until after the signing of the definite treaty, or at least until the British minister should have communicated the signature of the preliminaries of peace to the Russian court.[61]

On March 5, 1783, one of the members of the Empress's private cabinet came to see Dana and informed him that he could communicate his mission to the vice-chancellor at any time, but that while he might not receive an immediate answer the delay would not be occasioned by anything which concerned the United States or himself personally.[62] Because of this assurance Dana, on March 7, 1783, without consulting Verac, communicated his mission to the vice-chancellor, Count Ostermann, and requested an audience in order to present his letter of credence, explaining that he had delayed thus long in doing so because of the express command of Congress that he should do nothing which might disturb the Empress's position of neutrality.[63]

As soon as Sir James Harris, the British minister at St. Petersburg, had ascertained the truth of the reported step which Dana had taken, without any instruction from his

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[59] Dana to Livingston. Jan. 4/15, 1783. Ib., pp. 213–214.
[60] Same to same. Feb. 10, 1783. Ib., p. 248.
[61] Same to same. Feb. 14/25, 1783. Ib., p. 263.
[62] Dana to Livingston. March 12, 1783. Wharton, Dip. Cor. Rev., vol. 6, p. 286.
[63] Dana to Ostermann. Feb. 24 (March 7), 1783; Dana to Livingston. March 7, 1783. Ibid., p. 275.

home government, he protested to the Russian ministry that until "the ratification of the definitive treaty had taken place, the independence of America was not virtually constituted, and to negotiate with an American minister before that event was disclosed publicly would at least be a precipitate, if not an unjustifiable measure." He also said "that it was not sound policy in the Empress, at a moment when she was on the eve of a war (with Turkey), during the course of which she necessarily must want at least the influence, if not the assistance of Great Britain, to adopt a measure that would alienate forever the affections of that nation."[84] This threat of opposition to Russia's plans with regard to Turkey had its effect, and a few days later the British minister was assured that the Empress would certainly admit no American agent to her court until after the ratification of the definitive treaty, unless before that time Great Britain herself should receive one.[85]

Russia then adopted a policy of delay with regard to Dana. On March 12 Dana received a verbal message from Ostermann acknowledging the receipt of his letter of the 7th,[86] but more than a month passed before he could obtain, by means of a second urgent letter, a conference with the vice-chancellor.

He was then informed first, that her Majesty could not consistently with her character as mediator receive a minister from the United States until the conclusion of a definitive treaty between France, Spain and Great Britain; second, that she could not do it even then, consistently with the laws of neutrality, while Dana's letter of credence bore a date prior to the acknowledgment of the United States by the king of Great Britain; third, that she could not do it

[84] Sir James Harris to Lord Grantham. March 11, 1783. Malmesbury Papers, vol. 2, pp. 36–38.

[85] Same to same. March 3/14, 1783. Bancroft MSS., America, Russia and England, vol. 2. Lenox Library, New York.

[86] Dana to Livingston. March 16, 1783. Wharton, Dip. Cor. Rev., vol. 6, p. 286.

regularly while his letter of credence bore date before she herself had acknowledged their independence; fourth, that she could not do it consistently before a minister had been received from the United States by Great Britain. Dana asked the Count to give him a note containing the substance of his conversation, but this was refused.[87]

A fortnight afterwards, Dana sent to Ostermann a memorial declaring that the Empress's objections were unsupported by any of the principles of international law, and that it would be impossible for the United States to revoke his present letter of credence because it was dated prior to the acknowledgment of their independence by Great Britain for the following reasons:

1. Because it would be to propose to the United States, in effect, to strike off nearly seven years of their existence as free, sovereign and independent states;

2. Because their compliance with it would amount to a confession on their part that they owed their existence as a free nation to the acknowledgment of their independence by the king of Great Britain;

3. Because it would go to annul all their acts of sovereignty prior to that period, and especially the treaties which they had made and the commissions which they had granted to their ministers;

4. Because it would be repugnant to a resolution contained in their Declaration of Independence, viz., "that as free and sovereign states they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all those acts which independent states may of right do."[88]

This memorial, Dana informed Ostermann, contained his private sentiments upon the subject. He made this state-

[87] Dana to Livingston. April 14/25, 1783. Wharton, Dip. Cor. Rev., vol. 6, pp. 392–396, and in Papers of James Madison, vol. 1, pp. 563–564.

[88] Dana to Ostermann. April 27 (May 8), 1783. Wharton, Dip. Cor. Rev., vol. 6, pp. 411–415.

ment not only because it was the truth, but because it would give Congress liberty to disown the whole.[69]

Dana was not sanguine of the success of this communication. He intended to wait a reasonable time and, if no answer was given or if the Empress still persisted in her stand, to communicate what had passed to the other foreign ministers at St. Petersburg and then return home with all speed. By so doing he considered that he would give Congress liberty to act, by affording an opportunity of sending another minister, if it should desire to do so, without being compelled to revoke his letter of credence, and of granting another bearing a date since the acknowledgment of the independence of the United States by Great Britain. But, for his part, as he wrote Livingston, he did not think the advantage of a minister at the Russian court would compensate the expense of it.[70]

No reply to this memorial was made, although Dana was twice informed by a friend that he would receive a satisfactory answer.[71] By this delay Dana thought the Russian ministry was awaiting the news, now daily expected, of the conclusion of the definitive treaty of peace, when all idea of the mediation would be at an end.[72]

On June 14 Dana had a second interview with Ostermann, at which time the vice-chancellor read to him a note in which he said that Dana had taken in a wrong sense what he had said to him before concerning the date of his letter of credence. He declared that there had been no occasion for any question respecting the consequences which Dana had drawn from it, for the Empress would receive him with pleasure as minister as soon as the definitive treaties which

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[69] Dana to Livingston. April 28 (May 9), 1783. Ib., p. 417.

[70] Dana to Livingston. May 9, 1783. Wharton, Dip. Cor. Rev., vol. 6, p. 417; same to same. May 2/13, 1783. Ib., pp. 425–426; Dana to Adams. May 15, 1783. Ib., p. 433.

[71] Dana to Livingston. May 20, 1783. Ib., p. 455.

[72] Dana to Adams. June 6, 1783. John Adams, Works, vol. 8, p. 68; Dana to Livingston. May 26 (June 6), 1783. Wharton, Dip. Cor. Rev., vol. 6, p. 477.

were then on the eve of being concluded between the belligerent powers should be consummated. He further stated that the Empress intended that not only Dana but also all Americans who should visit her empire either commercially or on other affairs should enjoy the most favorable reception and the protection of the law of nations. As this was an evident concession from the position taken by Ostermann on April 21, Dana therefore agreed to wait for his reception until after the conclusion of the definitive treaty of peace.[73]

Dana's lack of success, his reports as to the small advantage to be gained by maintaining a minister at St. Petersburg,[74] and the advent of peace began to lessen in America the desire for a Russian alliance. As early as February 26, 1783, Livingston wrote to the president of Congress that he saw no reason for any longer detaining Dana in Russia, nor did he believe it desirable to keep a minister there even after peace had been made.[75] On April 1, 1783, Congress passed a resolution approving of Dana's intention to return to America, provided he should not be engaged in any negotiation with the Russian court at the time of the receipt of the resolution; but if he were, it was the desire of Congress that he should finish the negotiation before he returned.[76]

In inclosing this resolution, Livingston, on May 1, wrote to Dana: "With respect to the neutral confederacy, it is a treaty which is now of little consequence to us and since we were not admitted to it during the war we ought not to pay for admission upon a peace; and with respect to a commercial treaty, none can be signed by you. Your powers only extend to 'communicate with her Imperial Majesty's ministers on the subject of a treaty,' etc., but not to sign it." Therefore Livingston thought Dana should have no trouble

[73] Dana to Livingston. June 6/17, 1783. Wharton, Dip. Cor. Rev., vol. 6, pp. 494–495.
[74] Dana to Livingston. Jan. 20/31, 1783. Ib., p. 235; same to same. April 28 (May 9), 1783. Ib., p. 417.
[75] Livingston to President of Congress. Feb. 26, 1783. Wharton, Dip. Cor. Rev., vol. 6, p. 264.
[76] Dana to Livingston. July 16/27, 1783. Ib., p. 597.

about presents to the ministers, but if he should, he wrote; "I am persuaded that it is the wish of Congress rather to postpone any treaty with Russia than to buy one at this day."[77]

Livingston's interpretation of Dana's powers to make a commercial treaty was not that of Congress, for on May 22, 1783, it passed the resolution "that Mr. Dana be instructed, in case he has not already proceeded too far, in the commercial treaty between the United States of America and the Court of Russia, to stipulate that the treaty be limited to the term of fifteen years; and that the same be subject to the revisal and approval of Congress before they shall be under obligation to accept or ratify it."[78]

Livingston's letter of May 1, and the resolution of Congress of April 1, 1783, permitting Dana to return home, were received by him on July 27, 1783. He immediately wrote to Livingston that they came very opportunely, as the account of the definitive treaty of peace was expected at any moment, when he would have his audience; but the audience would now be inexpedient, for it would be a very useless ceremony to be received one day when on the next he would have to take his departure. He considered that no other course was now open to him but to leave at the earliest possible moment; therefore he wrote to Livingston, "according to your letter it seems that Congress declines being at the customary expense of concluding a treaty with her Imperial Majesty, but you say also, with respect to a commercial treaty (the only one I had any intention of concluding) none could be signed by me, as my powers only extend to communicate with her Imperial Majesty's ministers on the subject of a treaty, etc., but not to sign it. I confess I had put a very different construction upon the passage of my instructions alluded to . . . But it is useless to spend a moment's consideration upon the extent of my powers, when you say you are persuaded

[77] Livingston to Dana. May 1, 1783. Ib., p. 403.
[78] Wharton, Dip. Cor. Rev., vol. 6, pp. 437–441; Secret Journals, F. A., vol. 3, pp. 350–354.

that it is the wish of Congress rather to postpone any treaty with Russia rather than buy one at this day, as I am persuaded no treaty is to be obtained, or could be honorably postponed, without conforming, as other nations have done, to the ways of this court in that respect; and that it would be for the interest of the United States immediately to conclude a commercial treaty with her Imperial Majesty, such a one as I flatter myself I could obtain, I have not the least doubt in my mind." Dana therefore informed Livingston that he would return to the United States at the earliest opportunity.[79]

Thereupon, Dana wrote Count Ostermann that, having obtained the permission of Congress, he intended to return to America in a few weeks, and therefore would not trouble the Empress about granting him an audience.[80] But fearing lest his departure might be misunderstood, Dana again wrote to the Count that his motives for leaving were due to his ill health and his private affairs; and that he would explain further if the Count would grant him an interview. This took place on August 16, and the vice-chancellor and Dana cordially took leave of each other. Dana, however, was persuaded that the Russian court would have preferred him to remain because they were afraid that Congress might resent the postponement of his audience until after the conclusion of the definitive treaty of peace.[81] Shortly afterwards Dana left for the United States.[82]

Dana's action in returning home proved to be a wise one. The occasion for his mission was at an end. The independence of the United States had been secured. Accession to the Armed Neutrality was no longer to be desired. It was

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[79] Dana to Livingston. July 16/27, 1783. Wharton, Dip. Cor. Rev., vol. 6, pp. 597–598; Dana to John Adams. July 29, 1783. John Adams, Works, vol. 8, p. 121.

[80] Dana to Livingston. July 28 (Aug. 8), 1783. Wharton, Dip. Cor. Rev., vol. 6, p. 636.

[81] Same to same. Aug. 17, 1783. Ib., pp. 656–657.

[82] Dana to President of Congress. Boston, Dec. 17, 1783. Ib., p. 739.

rather to be avoided, for the United States, while readily acquiescing in the doctrines of that league, was not prepared to defend them by arms. Fearing, therefore, lest the new nation might become involved in the "policies and controversies of European nations," Congress declared by resolution that Dana's commission and instructions relative to the accession of the United States to the neutral confederacy no longer operated and that it was inexpedient to renew them either to Dana or to other ministers of the United States.[83] And in respect to a commercial treaty, Congress had already determined to limit greatly Dana's powers.[84]

After the preliminaries of peace had been signed, Count de Vergennes asked the American commissioners if they intended to sign the definitive treaty under the mediation of the courts of St. Petersburg and Vienna.[85] As Vergennes appeared to favor such an action, and as the commissioners believed that it would be a public acknowledgment of their nation as an independent power by those two courts, they informed the French ministers that they would do so.[86] Of this course Vergennes expressed his approval.[87] But Hartley, the British minister, refused. Conferences therefore took place between Vergennes, Hartley, Franklin, and Adams on the subject. The French minister pretended to take a strictly impartial position, yet, as it was now clear that he was against the mediation, the matter was dropped.[88] Adams was sure that this opposition was due to an understanding between England and France to prevent the United States from taking too prominent a place in international affairs. "For," as he wrote to the president of Congress,

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[83] Secret Journals of Congress, Foreign Affairs, vol. 3, pp. 367–368; Lyman's Diplomacy of the United States, vol. 1, pp. 432–435.
[84] Secret Journals of Congress, Foreign Affairs, vol. 3, pp. 350–354.
[85] Adams to Livingston. July 9, 1783. Wharton, Dip. Cor. Rev., vol. 6, p. 529.
[86] Same to same. July 12, 1783. Ib., p. 539; same to same. July 16, 1783. Ib., pp. 551–552.
[87] Same to same, July 16, 1783. Ib., pp. 551–552.
[88] Adams to President of Congress. Sept. 5, 1783. Ib., pp. 674–676; John Adams, Works, vol. 8, pp. 144–145.

"the signature of the two imperial courts would have made a deep and important impression in our favor upon full one half of Europe, as friends, to these courts, and upon full the other half as enemies. . . . From all the conversations I have had with the Count de Mercy and M. Markow, it is certain that the two courts wished, as the ministers were certainly ambitious, to sign our treaty. They and their sovereigns wished that their names might be read in America and there respected as our friends."[89]

Although Dana's departure from Russia without being received at court was due to a misunderstanding, no one was sent to replace him. Congress still wished, however, to open negotiations, and on April 15, 1784, passed a resolution declaring that it would be advantageous to the United States to conclude treaties of amity and commerce with Russia, the Court of Vienna, Prussia, etc., and that a commission should be issued to John Adams, Benjamin Franklin, and Thomas Jefferson giving them, or the majority of them, power to make and receive propositions for such treaties.[90] But no such treaty with Russia was negotiated.[91] When therefore in 1789 our Federal Constitution went into effect, diplomatic relations between the United States and Russia had not yet been established.

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[89] John Adams to President of Congress. Sept. 5, 1783. John Adams, Works, vol. 8, p. 145.

[90] Secret Journals, F. A., vol. 3, pp. 484–489.

[91] On Aug. 29, 1786, John Jay, Secretary of Foreign Affairs, said in Congress: "Our treaties with France, the United Netherlands, Sweden, Russia, etc., stipulate to each 'the right of the most favored nations.'" (Secret Journals, F. A., vol. 4, p. 97). This mention of Russia was probably meant for Prussia, for a treaty between the United States and Prussia containing such an article, "article 2," was signed Sept. 10, 1785, and ratified by Congress May 17, 1786. (Secret Journals, F. A., vol. 4, p. 26; see also, Treaties and Conventions concluded between the United States and other Powers since July 4, 1776, p. 899.)

CHAPTER II.

The Beginning of Formal Relations.

When peace had now been made Russia expected that the United States would again seek to open up diplomatic relations with her. In 1785 John Adams wrote from London to Jay that "Russia as well as Portugal are piqued at present with this court (of St. James) and Count Warranzow (the Russian ambassador) has several times lately asked a friend of mine why the United States did not make advances to his mistress."[1] But none were ever made. The young republic's diplomatic relations were causing her trouble enough without seeking for new ones which might become still more entangling.

In the spring of 1798 occurred the rupture between the French Directorate and the United States. Diplomatic relations between the two countries were broken off and great preparations were made for war by the United States.[2] In Europe a coalition was formed against France by Russia, Austria, England, Turkey, and Naples.[3] Advances were made by Russia to the United States with the view of effecting the complete isolation of France. In November, 1799, Count Woronzow, the Russian ambassador at London, approached Rufus King, at that time American minister to Great Britain, on the subject of closer relations between Russia and the United States. He said that as the United States had a considerable trade in the Baltic it appeared somewhat singular that no direct relations had ever existed between the two governments. He declared that he believed

[1] J. Adams to Jay. Nov. 24, 1785. Diplomatic Correspondence of the United States of America, from the signing of the Definitive Treaty of Peace, 10th September, 1783, to the Adoption of the Constitution, March 4, 1789, vol. 4, p. 446.
[2] Schouler, History of the United States, vol. 1, chap. 4.
[3] Fyffe, History of Modern Europe, vol. 1, p. 160.

that the Emperor would be inclined not only to form a commercial treaty with the United States but also to use his influence in helping them to conclude a treaty with Turkey, if they desired to make one. To this King discreetly replied that he could perceive considerable advantage in a commercial treaty with Russia, and that it would undoubtedly be an object of importance to extend and establish the American trade in the Levant. Count Woronzow then proposed that they resume the conversation at an early date and that in the meanwhile they should write to their respective governments, who, if the measure should be found advisable, might authorize a treaty to be negotiated there in London.[4]

The trade of the United States with Russia at that time was exceedingly small and unimportant. If this offer was made in good faith it might be made an opportunity for developing American export trade in Russia.[5] In informing Secretary Pickering of this proposal, King stated that he did not know whether it had come from the ambassador himself or had been ordered by his government.[6] President Adams, however, considered that this was an intimation directly from the Russian government, and without waiting for further information, on February 6, 1799, nominated Rufus King a special minister for negotiating with any minister of equal rank and powers a treaty of amity and commerce between the United States and the Emperor of Russia.[7]

Instructions as to this treaty, however, were not sent to King until three months later. He was told to stipulate that the citizens and subjects of the two countries should have

[4] R. King to T. Pickering. Nov. 10, 1798. Life and Correspondence of Rufus King, vol. 2, pp. 463–464.

[5] Pitkin, Statistical View of the Commerce of the United States of America, p. 230. At that time the exports of the United States to Russia were less than to any other European nation. Statistical Tables Exhibiting the Commerce of the United States with European Countries from 1790–1890. House Misc. Doc., 2d Sess., 52d Cong., 1892–1893, vol. 26, p. xvi.

[6] R. King to T. Pickering. Nov. 10, 1798. Life and correspondence of Rufus King, vol. 2, pp. 463–464.

[7] Messages and Papers of the Presidents, vol. 1, p. 282; Senate Executive Journal, vol. 1, p. 310.

perfect freedom of navigation and commerce in all their respective dominions where navigation and commerce were then permitted to any other nation. Special emphasis was to be laid on neutral rights. In case of war each party was to be allowed to trade fully with the enemies of the other, except in articles contraband of war and with places actually besieged or blockaded. As it was likely that Russia would demand (as she had recently done in a treaty with England), that naval stores, her chief exports, should not be considered as contraband of war, King was to agree to this, as the United States wished to have this doctrine widely accepted. He was further instructed that "the provision that free ships make free goods must be left out because it was a principle not universally accepted by maritime nations." The treaty was to run for ten years and ratifications were to be exchanged at London.[8]

As soon as King heard of his appointment he wrote to Count Woronzow that he had received an answer from his government with regard to their conversation, and that while nothing had been definitely decided he had some reason to believe that the proposition would be agreeable to the President. If negotiations should be carried on in London it was quite probable that the President would commit them to him.[9] To this the Count replied that he would write immediately to his court upon the subject, stating what he had said as proceeding from their personal conversation and hoping a treaty might be concluded and that the two countries might respectively keep ministers at St. Petersburg and Philadelphia.[10]

King at once transmitted this reply to the secretary of state and said that he feared that they had been a little pre-

[8] T. Pickering to R. King. May 1, 1799. Instructions, vol. 5; MS., State Department Archives. The treaty was to be modeled on that concluded between Russia and Great Britain, Feb. 10/21, 1797. Annual Register for 1797, pp. 296–303.

[9] R. King to Count Woronzow. March 11, 1799. Life and Correspondence of Rufus King, vol. 2, pp. 552–553.

[10] R. King to T. Pickering. March 16, 1799. Ib., pp. 568–570.

mature in naming a commissioner to negotiate with Russia when they had not yet ascertained the sentiments of the Russian cabinet in respect either to the negotiation or the place of conducting it. He significantly added that he had heard from very good authority that England and Russia had a plan on foot to cut off the trade of neutral nations with France, and that it was reported that the United States were to join them for this purpose.[11]

Pickering, the secretary of state, had early perceived that the advances of Count Woronzow were due to the strained relations existing between the United States and France, and that the President's action in nominating commissioners to treat with France would defeat King's negotiations with Russia.[12] However, he wrote to King that he hoped that his fear in regard to the treaty with Russia would be removed by the appointment of the Russian minister at London to treat with him there. Count Woronzow's note had been broader in its scope than his conversation, and so Pickering added, "It would not be desirable to us to send a minister to Petersburg for that object, nor would the American government, I imagine, have determined on the negotiation if the necessary consequence was to be the placing a resident minister in Russia. I am inclined to think the number of our foreign ministers will rather be diminished than increased."[13]

In the early part of June, 1799, Lord Grenville, the secretary of state for foreign affairs, informed King that the English minister at St. Petersburg had lately reported to him that the United States would have no difficulty in concluding a commercial treaty with Russia and that a despatch had been sent to the Russian envoy in London to inform King of the wishes of the Russian court on that subject. Accordingly, a few days later, Count Woronzow told King

[11] Ibid.
[12] T. Pickering to Alexander Hamilton. Feb. 25, 1799. Works of Alexander Hamilton, vol. 6, p. 398.
[13] T. Pickering to R. King. May 29, 1799. Life and Correspondence of Rufus King, vol. 3, pp. 26–28.

that in consequence of his information that the American government protected the cause of order and religion, that it was on friendly terms with England and the allies of Russia and held in abhorrence the conduct of the French, Russia was ready to enter into more direct intercourse with the United States and to conclude a commercial treaty between the two countries. But he said that the success of the negotiation must, at least for the present, depend upon the situation of affairs between the United States and France. If they were about to begin negotiations with France it would be advisable for them to suspend further proceedings with Russia. Woronzow further said that as he had no information as to what course the United States would pursue, he had thought it proper to inform King of this much personally and confidentially so that he might, if he chose, communicate what he had so said to his government. On this occasion the Russian envoy said that the negotiation whenever it took place must, according to the unvaried usage of his court, be conducted either at St. Petersburg or Philadelphia.[14]

King's despatches from America assured him of the President's determination to make peace with France. In the face of such information he feared that the United States would incur the enmity of both England and Russia.[15] Besides he was empowered to treat only at London. Therefore, as he was convinced that the negotiation had best be relinquished for the present,[16] he took no further steps in the matter and the subject was never resumed between the two ministers.[17]

As early as 1794 President Washington had nominated a consul for St. Petersburg.[18] When Jefferson became

[14] R. King to T. Pickering. June 5, 1799. Life and Correspondence of Rufus King, vol. 3, pp. 29–30.
[15] R. King to T. Pickering, Dec. 31, 1799. Ib., p. 165.
[16] Same to same. Nov. 4, 1799. Ib., p. 141.
[17] T. Pickering to G. Washington. Aug. 2, 1799. Pickering Papers, vol. 11, no. 536. MS., Mass. Historical Society.
[18] Messages and Papers of the Presidents, vol. 1, p. 173.

president he appointed, on November 11, 1803, Levett Harris of Pennsylvania to that post.[19] Harris was an ambitious man who owed his political preferment to Jefferson.[20] Although but a consul he soon got himself received at court and wrote to Jefferson about "the flattering attention" which he received from the Emperor and his ministers and their "most signal proofs of regard for the United States."[21] Jefferson, having been informed that the Emperor Alexander desired to correspond with him, took the occasion of the Emperor's interposition in the capture of the frigate Philadelphia, which had been stranded on the coast of Tripoli, to write to him, on July 15, 1804, a letter full of expressions of friendship, and thanking him for his good offices in securing the release of the crew of that vessel.[22] Harris then became the medium of communication between his government and the Russian court.[23] From his youth up the Emperor Alexander had maintained a lively interest in the Constitution of the United States and had shown a great admiration for Jefferson.[24] On August 20, 1805, he wrote Jefferson a letter congratulating him upon his reëlection.[25] In 1806 England had begun her blockade of the mainland of Europe. The question of neutral trade had become of vital importance to the United States. Jefferson's

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[19] Senate Executive Journal, vol. 1, p. 453.

[20] L. Harris to T. Jefferson. July 24, 1817. Jefferson Papers, Series 2, vol. 45, no. 80. MS., Library of Congress.

[21] L. Harris to T. Jefferson. July 26 (Aug. 7), 1804. Jefferson Papers, Series 2, vol. 42, no. 52. MS., Library of Congress.

[22] T. Jefferson to Emperor Alexander. June 15, 1804. Jefferson Papers, Series 1, vol. 10, no. 90; T. Jefferson to Wm. Short. Aug. 29, 1808. MSS., Library of Congress.

[23] T. Jefferson to L. Harris. April 18, 1806. Writings of Jefferson, ed. Washington, vol. 5, pp. 5–7; L. Harris to Baron de Budberg. Aug. 4, 1806. Jefferson Papers, Series 2, vol. 42, no. 54. MS., Library of Congress.

[24] Rush, Memoranda of a Residence at the Court of London, p. 240; T. Jefferson to L. Harris. April 18, 1806. Writings of Jefferson, ed. Washington, vol. 5, p. 6; L. Harris to T. Jefferson. Sept. 16, 1806. Jefferson Papers, Series 2, vol. 42, no. 59. MS., Library of Congress.

[25] T. Jefferson to Emperor Alexander. April 19, 1806. Writings of Jefferson, ed. Washington, vol. 5, pp. 7–9.

belief in the Russian Emperor's friendship for the United States was strong. He considered that the interests of the two nations as to neutral trade were identical and that, as long as Alexander lived, Russia would be "the most cordially friendly to us of any power on earth."[26] In this belief Jefferson answered the Emperor's letter and requested that at the next pacification he should use his good offices and influence with the European nations to introduce a correct definition of the rights of neutrals on the high seas. "Having taken no part in the past or existing troubles of Europe," wrote the President, "we have no part to act in its pacification. But as principles may then be settled in which we have a deep interest, it is a great happiness for us that they are placed under the protection of an umpire who, looking beyond the narrow bounds of an individual nation, will take under the cover of his equity the rights of the absent and unrepresented."[27] This letter was presented by Harris to the Emperor in person, and the Emperor wrote Jefferson thanking him for it and for the books on the American Constitution which the President had also sent.[28] When Jefferson's decision to decline a third nomination was known in Russia in 1806, the Emperor and his ministers expressed to the President through Harris their deep regret at this news.[29]

The need for closer diplomatic relations was more strongly felt when on May 17, 1808, Count Romanzoff, the Russian minister of foreign affairs, wrote to consul Harris that the Russian-American company had frequently informed him that ships from the United States had been carrying on a clandestine trade with the savages in the Russian

[26] T. Jefferson to Wm. Duane. July 20, 1807. Writings of Thomas Jefferson, ed. P. L. Ford, vol. 9, pp. 119–121.

[27] T. Jefferson to Emperor Alexander. April 19, 1806. Ib., vol. 8, p. 439.

[28] L. Harris to T. Jefferson. August 10, 1806. Jefferson Papers, Series 2, vol. 42, no. 55; Emperor Alexander to T. Jefferson. Aug. 10, 1806. Ib., vol. 2, no. 12. MSS., Library of Congress.

[29] L. Harris to T. Jefferson. Sept. 16, 1806. Jefferson Papers, Series 2, vol. 42, no. 59. MS., Library of Congress.

possessions on the northwest coast of America, and that they had exchanged with them for otter skins fire-arms and powder by means of which a Russian fort was destroyed and a number of people had lost their lives. The Russian minister requested Harris to call the attention of his government to this and proposed that they stipulate by a convention that, in order to avoid the consequences of such a trade with the savages, a common exchange should be established exclusively at Kodiack and with the agents of the Russian-American company.[30] Harris promised to bring the matter to the attention of his government.[31]

In July, 1807, the Treaty of Tilsit was made. The Emperor Alexander had been won over to an alliance with France. England at once declared war and interdicted all intercourse with Russia.[32] As a large producer of raw materials the welfare of Russia demanded an alliance with a nation largely devoted to the carrying trade.[33] Russia turned to the United States. On June 13, 1808, Count Romanzoff wrote to Levett Harris requesting him to inform his government that the Emperor, in order to strengthen more firmly the ties of friendship between Russia and the United States, had appointed André Daschkoff consul-general at Philadelphia, "conferring on him at the same time the title of his *chargé d'affaires* near the Congress of the United States."[34]

Before the news of this appointment reached America necessity had likewise compelled the United States to make advances. England and France had each been doing its best to destroy the neutral commerce of America. The Embargo Act was proving a disastrous failure. Jefferson had

[30] Romanzoff to L. Harris. May 17, 1808. American State Papers, Foreign Relations, vol. 5, p. 439.
[31] Ib., p. 453.
[32] T. Jefferson to Wm. Short. Jan. 31, 1808. Jefferson Papers, Series 2, vol. 77, no. 136. MS., Library of Congress.
[33] Gen. Armstrong to Secretary of State. Paris, Nov. 24, 1808. American State Papers, For. Rel., vol. 3, p. 299.
[34] Count Romanzoff to L. Harris. June 13, 1808. American State Papers, For. Rel., vol. 3, p. 298.

early foreseen that England's interdict against Russian trade would cause great distress in Russia.[35] At such a time a mission to Russia, the old friend of neutral rights, might bring about some good results. As early as June it was under discussion, and by July Jefferson had determined to send William Short as minister plenipotentiary to St. Petersburg. The mission was intended to be special, not permanent, and as it was not to be made known until after Short's arrival in St. Petersburg, the Senate was not to be informed until the latest possible moment.[36] As the President did not wish any delay, Short sailed from Philadelphia on the first of October, 1808, carrying with him an autograph letter from Jefferson to the Emperor.[37]

Short was to secure the aid of the Emperor in protecting the maritime rights of the United States against the encroachments of England and France whenever a treaty of peace should be made.[38] His instructions informed him that "it being impossible to know what the future conduct of the belligerent powers may be toward neutrals, or to foresee what particular policy in relation to this continent may find its way into a general pacification, it cannot be unimportant to have in a party so powerful and influential as Russia a good will and wakeful attention to the just rights and interests of the United States, as these may be involved in the course of events. To secure this advantage being the primary object of your mission, these general instructions will for the present be sufficient." In case the Emperor should wish to enter into explanatory or declaratory stipulations concerning relations between neutrals and belligerents, the views of the President would be sent him later.

[35] T. Jefferson to Wm. Short. Jan. 31, 1808. Jefferson Papers, Series 2, vol. 77, no. 136. MS., Library of Congress.

[36] T. Jefferson to J. Madison. July 29, 1808. Writings of Jefferson, ed. Washington, vol. 5, p. 329; T. Jefferson to A. Gallatin. Aug. 30, 1808. Ib., p. 360.

[37] T. Jefferson to Emperor Alexander. Aug. 29, 1808. Writings of Thomas Jefferson, ed. P. L. Ford, vol. 9, pp. 206–207.

[38] T. Jefferson to Wm. Short. Aug. 29, 1808. MS., Library of Congress.

He was also to endeavor to secure some favorable commercial regulations for the commerce of the United States in Russia, and to explain the Embargo Act so as to show that its aim would have been frustrated if an exception had been made in favor of Russian commerce.[39]

Short proceeded at once to France, arriving in Paris on November 15, 1808. As Count Romanzoff, the Russian minister of foreign affairs, was there at that time, General Armstrong, the American minister to France, informed him that the President had determined to send a minister to St. Petersburg whose arrival there might soon be expected. The Count expressed the greatest satisfaction at the information. He asked particularly what rank the gentleman would have. When told, he replied that "a minister of equal rank would be immediately appointed." He added, "Ever since I came into office I have been desirous of producing this effect, for in dissolving our commercial connections with Great Britain it became necessary to seek some other power in whom we might find a substitute, and on looking around, I could see none but the United States who were at all competent for the object."[40] Thereupon Short communicated his mission to Romanzoff, who expressed his extreme gratification. Short then set to work to cultivate assiduously the acquaintance of the Russian minister. Romanzoff was most flattering and Short unreservedly discussed with him the objects of his mission. Before Short, however, could make his preparations to start for Russia the winter was at its height. As the weather was unusually severe he determined to wait, especially as Romanzoff was still in Paris. From his conversations with the Count he was led to believe that he could make some sort of a treaty

[39] J. Madison to Wm. Short. Sept. 8, 1808. Instructions, vol. 7, MS., State Department Archives. Wm. Short had been secretary of legation to Jefferson, when minister to France in 1784. In 1789 he was appointed *chargé d'affaires* in France by Washington. In 1792 he was minister resident to the Netherlands, and in 1794 minister resident to Spain.

[40] Gen. Armstrong to J. Madison. Nov. 24, 1808. American State Papers, For. Rel., vol. 3, p. 299.

with regard to neutral rights upon his arrival at St. Petersburg. By waiting he hoped to receive the additional instructions on this topic which he had been promised. But none came. Romanzoff departed, Short still lingered on, hoping from day to day to receive further instructions from his government and news as to the Embargo. Thus Short was still waiting in Paris when the news arrived that the Senate had rejected his nomination.[41]

Jefferson, desiring to keep the mission to Russia a secret as long as possible, did not send Short's nomination to the Senate until the very close of the session.[42] It was only on February 24, 1809, that the President, by his last official message, informed the Senate that as the Emperor of Russia had on several occasions indicated sentiments particularly friendly to the United States and had expressed a wish through different channels that diplomatic intercourse should be established between the two countries, and that as his influence might be of great value to the United States should arrangements of any sort affecting them be contemplated in the negotiations for peace, he had therefore thought that it would be advantageous to establish a mission to Russia. For this purpose, he said, he had commissioned, in the month of August last, William Short of Pennsylvania "to proceed as minister plenipotentiary to the court of St. Petersburg and he had accordingly proceeded," and he now nominated him to the Senate for that appointment. To Jefferson's great dismay the Senate rejected Short's nomination.[43]

As this action on the part of the Senate was considered to have been not on account of the mission but on account of the man,[44] President Madison, on the second day after his inaug-

[41] Wm. Short to T. Jefferson. Paris, April 10, 1809; same to same. Paris, May 27, 1809. MSS., Library of Congress.

[42] T. Jefferson to Wm. Short. March 8, 1809. Writings of Thomas Jefferson, ed. P. L. Ford, vol. 9, p. 249–250.

[43] Messages and Papers of the Presidents, vol. 1, p. 461; Senate Executive Journal, vol. 2, pp. 112–113.

[44] T. Pickering to R. King. Feb. 2, 1810. Life and Correspondence of Rufus King, vol. 5, p. 192; J. Q. Adams, Memoirs, vol. 1, p. 544.

uration, sent for John Quincy Adams and offered him the Russian mission. Madison said that as the Emperor desired an interchange of ministers, and as the commercial relations between the two countries were important, he was very desirous of complying with the request, as some valuable advantage might be obtained if the Emperor was in that friendly disposition. The President further stated that there would be no particular immediate subject of negotiation unless it should appear that commercial arrangements of mutual benefit might be made. But if peace negotiations ensued and the principles of maritime rights became objects of the treaty, the interest of the United States might require their participation in order to guard against any possible combination of England and France against the United States, and for this reason the cultivation of the Emperor's friendship would be very important. To Adams's inquiry as to how long the mission might continue, Madison replied that it was indefinite, that it might last three or four years, but that all would depend upon events. Adams immediately accepted and the President at once sent in his nomination to the Senate.[45] As there was at that time a faction in the President's party, some of the Republicans by joining with the Federalists defeated Adams's nomination. Thereupon the Senate adjourned *sine die*.[46]

The news of Short's rejection by the Senate had not yet reached St. Petersburg when, on May 10 (O. S.), 1809, the Emperor Alexander, in return for the appointment of an American minister to his court, appointed Count Pahlen minister to the United States.[47]

In June, 1809, Daschkoff, having arrived in the United States, was received by the President, since, although titu-

[45] J. Q. Adams, Memoirs, vol. 1, pp. 544–545.
[46] Senate Executive Journal, vol. 2, pp. 118–120; H. Adams, History of the United States, vol. 5, pp. 11–12.
[47] Emperor Alexander's letter of credence to Count Pahlen. MS., State Department Archives.

larly nothing more than a *chargé*, he had brought a letter of credence from the Emperor himself.[48]

A few days later, on June 26, 1809, President Madison, having restored discipline to his party, again sent John Quincy Adams's name to the Senate as minister to Russia, saying that since the previous nomination evidence had been received of the Russian Emperor's desire to establish diplomatic intercourse between the two countries and of the favorable disposition of his council to an extension of a commerce mutually advantageous to both countries. As evidence of this friendly disposition the President confidentially communicated Armstrong's conversation with Romanzoff at the time of Short's arrival in Paris and Harris's despatch announcing the appointment of Daschkoff. On the next day the Senate confirmed Adams's nomination.[49] With this action of the Senate formal diplomatic relations between the United States and Russia were begun. The troubled condition of European affairs had forced both countries to turn simultaneously to each other for support.

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[48] J. Madison to T. Jefferson. July 23, 1809. Letters and other Writings of James Madison, vol. 2, p. 449.

[49] J. Madison to the Senate. June 26, 1809. American State Papers, For. Rel., vol. 3, p. 298; Messages and Papers of the Presidents, vol. 1, p. 471; Senate Executive Journal, vol. 2, pp. 126–128.

CHAPTER III.

Adams's Mission.

John Quincy Adams was well fitted for the mission to Russia. As a youth he had gone there with Dana, and in diplomacy was no amateur, having been one of the secretaries to the American plenipotentiaries who negotiated the treaty of Paris, and he was afterwards minister first to Holland, then to Prussia and commissioner to Sweden.[1]

Adams arrived at Cronstadt, the port of St. Petersburg, on October 21, 1809.[2] His instructions were the same as those given to Short.[3] The chief object of his mission was to secure Russia's protection of American commerce in the event of a general pacification in Europe. But there was one point upon which he had received no instruction, and that was in regard to the presents to the Russian ministers, which had up to that time been considered indispensable. And so before he left Boston Adams wrote to the secretary of state, asking if he was to make them, for, he said, "a refusal on the part of the Congress under the Confederation to comply with this custom was the occasion of Mr. Dana's returning home from St. Petersburg without being received as a public minister."[4] Secretary Smith informed Adams that if he should find that the presents were customary and expected, he was authorized to make them.[5]

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[1] Foster, Century of American Diplomacy, p. 250.

[2] J. Q. Adams, Memoirs, vol. 2, p. 45; J. Q. Adams to R. Smith. Oct. 21, 1809. Despatches, Russia, vol. 1, no. 3. MS., State Department Archives.

[3] J. Madison to T. Jefferson. July 4, 1809. Letters and other Writings of James Madison, vol. 2, pp. 445–446; R. Smith to J. Q. Adams. July 20, 1809. Instructions, vol. 7, MS., State Department Archives.

[4] J. Q. Adams to R. Smith. July 27, 1809. Despatches, Russia, vol. 1, MS., State Department Archives.

[5] R. Smith to J. Q. Adams. Oct. 23, 1809. Instructions, vol. 7. MS., Sate Department Archives.

At his first interview with the minister of foreign affairs, Count Romanzoff, officially known as the Chancellor of the Empire, Adams, after the usual formal speeches, at once proceeded in his efforts to enlist Russia's protection of American commerce without waiting for a general pacification. At Christiansand, in Norway, he had seen a large number of American vessels which had been captured by Danish privateers.[6] Calling the attention of Romanzoff to this fact, he now broached the subject of more favorable neutral rights. Russia was then in close alliance with Napoleon, who was using every effort to secure the strict application of his Continental system. And so the Chancellor replied that while such a state of affairs was much to be desired, he was afraid that it was yet far distant.[7]

On November 5, 1809, at a private audience the Russian Emperor received an American minister for the first time. No third person was present at this interview. The Emperor was most cordial and strongly expressed his disapproval of England's maritime policy and his own determination to favor the commerce between the United States and Russia. He said that between Russia and the United States there could be no interference of interests and no causes for discussion, but that by means of commerce the two nations might be of great use to each other, and it was his desire to give the greatest extension and facility to this means of mutual benefit.[8] "With regard to the political relations of Europe, and those unhappy disturbances which agitated the different states, the system of the United States to keep themselves altogether disconnected with them was wise and just, and they might rely upon him that he would do nothing to withdraw them from it."[9]

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[6] J. Q. Adams, Memoirs, vol. 2, p. 21.
[7] J. Q. Adams to R. Smith. Oct. 14/26, 1809. Despatches, Russia, vol. 1, no. 4. MS., State Department Archives.
[8] J. Q. Adams, Memoirs, vol. 2, p. 53.
[9] J. Q. Adams to R. Smith. Nov. 6, 1809. Despatches, Russia, vol. 1, no. 5. MS., State Department Archives.

Since Russia was at war with England a good understanding with the United States was necessary for her commercial welfare, and Romanzoff did not hesitate to say so as openly as he had done a year previously in Paris. The Chancellor told Adams that there were strong prejudices in Russia in favor of England, founded upon old habits and long established commercial intercourse, but that the English exclusive maritime pretensions and views of usurpation upon the rights of other nations made it essential to Russia that some great commercial state should be supported as her rival. The United States were such a state and the highest interest of Russia was to support and favor them, since by their relative situation the two powers could never be in any manner dangerous to each other. Romanzoff said further that he had been for many years inculcating this doctrine at his court, and while the Emperor had always shown himself favorably inclined to it, he had had the satisfaction of perceiving him become daily more strongly attached to this system. This frank avowal by the Chancellor of his policy appeared to Adams so surprising that he did not believe in its sincerity, but considered that it had been made with the object of ascertaining if he had power to conclude a treaty with Russia and of leading directly to propositions for that purpose from him.[10]

But the friendly disposition of the Russian government towards the United States was not shown in words only. Denmark, at the demand of Napoleon, had ordered the proscription of the cargoes of neutral ships. American goods had been seized in the ports of Holstein. Adams, on December 26, 1809, applied in behalf of their owners to Count Romanzoff to have the Emperor use his influence to secure the immediate release and restitution of the property of American citizens sequestered by the order of the King of Denmark. The Count gave him to understand that Russia could not interfere. He said that the Danes had been forced

[10] J. Q. Adams, Memoirs, vol. 2, pp. 65-66.

to this action by Napoleon and he was afraid, therefore, as it was a measure coming directly from the French Emperor, no influence in the world could stop it, but that the United States might always rely upon the Russian Emperor's inclination to use his good offices in their favor. Three days later Romanzoff informed Adams that he had reported to the Emperor Adams's request and his own answer. He said that the Emperor had judged differently on the subject and had given him express orders to request the Danish minister at his court to urge upon his government the restoration of the American property as quickly as possible, as it was a matter "in which the emperor of Russia takes a particular interest and in which a compliance with his desire will give him peculiar satisfaction."[11] On February 27, 1810, Romanzoff informed Adams that Denmark had granted the Emperor's request.[12]

On January 4, 1810, Daschkoff, the Russian *chargé* in the United States, renewed the complaint which Romanzoff had made to Harris about the trade carried on by citizens of the United States with the natives in the Russian possessions on the northwest coast of America. In a note to Secretary Smith he said that as this trade in arms and ammunitions of war by Americans endangered the safety of many citizens of the United States as well as Russian subjects, it was the opinion of the Russian government and also of some American merchants that it would be very advantageous if the government of the United States would prohibit by law its citizens from this trade, which was prejudicial to both nations, and would compel them to deal exclusively with the factory or agents of the Russian company. The utility of

[11] J. Q. Adams, Memoirs, vol. 2, pp. 84–86; J. Q. Adams to R. Smith. Jan. 3, 1810. Despatches, Russia, vol. 1, no. 8; same to same. Jan. 7, 1810. Ib., no. 9. MSS., State Department Archives.

[12] J. Q. Adams, Memoirs, vol. 2, p. 100; J. Q. Adams to R. Smith. March 24, 1810. Despatches, Russia, vol. 1, no. 12. On Oct. 9/21, 1810, Adams sent a note to Romanzoff expressing the acknowledgment of the President for the Emperor's good offices in this matter. J. Q. Adams to Count Romanzoff. Oct. 9/21, 1810. Despatches, Russia, vol. 1, inclosure. MSS., State Department Archives.

such an arrangement, he declared, would be real and reciprocal, as it would increase the trade and strengthen the friendly relations between the two countries. He announced that should the President be also of the opinion that a convention was the proper means of arranging the commerce between the United States and the Russian establishment on the northwest coast of America, so as to prevent all future complaint and to strengthen the friendship between the two nations, he was clothed with the necessary powers for entering upon such a negotiation.[18]

Daschkoff was then asked if he was authorized to fix a latitude to the south of the Russian establishment which should serve as a line of demarcation to the American ships which traded upon those coasts. Upon his replying that he had no such authority he was informed that there would be great difficulty in passing a precise law by which the traffic of contraband should be prohibited beyond a certain degree. Thereupon Daschkoff proposed that they should substitute as a boundary a latitude named some degrees below the last Russian establishment situated to the southeast, until there should be exact accounts of its geographical situation. The American government did not consider that this would obviate the difficulty. It refused to entertain the Russian view that the United States were bound to restrain their citizens from trading in warlike articles with the Indians connected with the Russian establishments. It took the position that if the Indians were under the Russian jurisdiction the United States were bound only to leave their citizens to the penalties operating within the territorial limits. But if the Indians were to be considered as independent tribes, inhabiting an independent territory, Russia had no right to prohibit other nations from trading with them, unless it should be in contraband of war during a state of war; in this case she might enforce the prohibitions on the high seas. If the Indians should fall under the character of rebels or

[18] A. Daschkoff to R. Smith. Jan. 4, 1810. American State Papers, For. Rel., vol. 5, pp. 438–439.

insurgents against Russian authority the same rule would be applicable. In this view of the case the government of the United States decided that it was under no legal obligation to comply with the demands of Russia and that it could not be brought under such an obligation except by a compact; and it could not make a compact without becoming involved in a controversy with Spain, whose territorial claims on that coast extended from the south up to those of Russia. The President determined not to enter into any further negotiation until Daschkoff should receive more extended powers or the Russian government should choose to terminate the affair with the American minister at St. Petersburg. Therefore the secretary of state informed Daschkoff that as he had no authority to fix a boundary line, no definitive adjustment could possibly be made.[14]

In informing Adams of the stand taken by the United States in this affair Secretary Smith said that as Russia had the means of enforcing her rights against those who intruded on the coast possessed by her, or who carried implements of war to be used in a hostile manner against her, it could not be essential that any foreign power should coöperate with her for that purpose. He added: "In explaining the sentiments of the United States on this occasion, it will be advisable for you to bring into view the hopes of the United States that it will be found consistent with the liberal policy of the Emperor to favor a commerce of the Americans in innocent articles both with the Russians and Indians in that quarter, and even their intercession in the trade between the Russian establishments and China. As it does not appear how far the Russians stretch their claim southwardly along the coast, it is material that some latitude should be fixed as the limit and it is desirable, as the coast south of it will enter into the plan of Indian trade likely to be em-

[14] A. Daschkoff to R. Smith. April 24, 1810. American State Papers, For. Rel., vol. 5, p. 441; R. Smith to A. Daschkoff. May 5, 1810. Ib.; R. Smith to J. Q. Adams. May 5, 1810. Ib., p. 440.

braced by our citizens, that the limit should be as little advanced southwardly as may be."[15]

On August 28, 1810, this question of trade with the Russian settlement on the northwest coast of America was taken up in St. Petersburg. Romanzoff told Adams that the Russian government had a growing settlement there from which a very profitable trade might be carried on with China. Unfortunately through a misunderstanding the Russians had been prohibited from the Chinese ports. Therefore he wished that the trade between the Russian settlement in America and China might be carried on by the Americans. But as the settlement itself was in the neighborhood of Indians, who were sometimes troublesome and dangerous neighbors to it, he proposed that an arrangement be made with the United States whereby the Americans might have the trade of the settlement, subject to an agreement not to furnish warlike weapons and materials to the neighboring Indians. Adams replied that when the subject had been discussed in the United States Daschkoff had not been specifically instructed as to the limits within which it was wished that this restriction should be extended, and he now asked the Count whether he could state them. Romanzoff answered that it would require some consideration, but that their maps included the whole of Nootka Sound and down to the Columbia River as a part of the Russian possessions.[16]

At the time of the Nootka Sound Convention in 1790 Russia had confined her claims on the northwest coast of America to the north of the sixtieth degree north latitude, while Spain and England had by a convention fixed their respective rights in all parts of that coast from the last establishment of Spain to the south of Cape Mendocino to the sixtieth degree, inclusive. This being the case, Adams could not imagine that it was the Count's serious intention to claim as far as the Columbia River, but he found on examination

[15] R. Smith to J. Q. Adams. May 5, 1810. Ib., p. 440.
[16] The mouth of the Columbia River is in latitude 46 degrees, 15 minutes, north.

that, at the time of the correspondence between Romanzoff and Harris on this subject, the Russian claim was even then asserted down to the mouth of the Columbia.[17]

This extension of Russia's claims Adams determined to oppose. At a later interview, on October 9, 1810, he told Romanzoff that, as the people of the United States were so extensively engaged in commercial navigation to all parts of the world, the traffic with the Indians could not be prevented unless by special prohibitions of law—prohibitions which it would be extremely difficult to carry out fully. Besides, if such an arrangement should be proposed to Congress it would lack the basis of reciprocity. And even if a convention were concluded to prohibit this traffic the Indians would probably still get their supplies from the English. However, Adams said, he had been instructed to inquire what would be the boundary line within which the Russian government wished to extend the prohibition. Seeing that Adams refused to take seriously his announcement that the Columbia River was the southern limit of Russia's claims, Romanzoff replied that this was a matter concerning which they had no great solicitude; that their first idea had been that this trade with the Indians, especially in fire-arms, might be as detrimental to the United States themselves as to the Russian settlement; such being the case the United States might find it expedient to issue the prohibition, provided it was conformable to their constitution. He did not believe or think that the English furnished the Indians with fire-arms. With regard to a mutual stipulation, the Count said, he had to confess candidly there was no basis for it. To engage that the Russians should not thus traffic would be nugatory, as no Russian vessels traded there and there was no privilege which could be granted for trade with the Russian settlement which did not then exist *de facto*. What might be done in the future, if the settlement should

[17] J. Q. Adams, Memoirs, vol. 2, pp. 151–153; J. Q. Adams to R. Smith. Sept. 5, 1810; same to same. Sept. 30, 1810. American State Papers, For. Rel., vol. 5, pp. 442, 450.

become an object of importance, he could not say, but now the trade of all nations there was perfectly free. "As to fixing a boundary, it would be most advisable to defer that to some future time, for the sake of avoiding all possible collision and even every pretext for jealousy or uneasiness." The Chancellor then closed the interview by informing Adams that the attachment of Russia for the United States was as strong and fixed as ever and more obstinate than he was aware.[18]

In thus maintaining a *status quo* which was so clearly to the advantage of the Americans Adams won a diplomatic victory, while events were soon to prove still more clearly the truth of Romanzoff's assertion.

By the Treaty of Tilsit Napoleon had persuaded the Emperor of Russia to close his ports to the English. In order to get rid of her raw materials and to obtain the necessary foreign products in return, Russia then turned to the United States. But American vessels also fell under Napoleon's ban, since they were neutrals carrying cargoes more or less to the advantage of England. Napoleon, therefore, determined to stop the admission of American vessels into Russian ports, for he saw clearly that as long as any port was exempt from his measures his Continental system would not affect England.[19] But the American trade was absolutely necessary to Russia; she would become bankrupt if denied exports and restricted in her imports to French luxuries, like silks and champagne, to be paid for in specie. The times were then exceedingly hard for Russia. Her war with Turkey compelled her to maintain a large army with a depreciated currency.[20] The Czar determined to persist in his policy of

[18] J. Q. Adams, Memoirs, vol. 2, pp. 178–179; J. Q. Adams to R. Smith. Oct. 12, 1810. Despatches, Russia, vol. 1, no. 27. MS., State Department Archives; American State Papers, For. Rel., vol. 5, p. 443.

[19] J. Q. Adams to R. Smith. Dec. 1, 1810. Despatches, Russia, vol. 1, no. 33. MS., State Department Archives.

[20] H. Adams, History of the United States, vol. 5, p. 413; Lavisse et Rambaud, Histoire Générale, t. 9, p. 763.

favoring the commerce of the United States, which was increasing enormously.[21] Indirectly Adams received intimations from Romanzoff of his desire to strengthen the relations between the two countries by a treaty of commerce. Adams reported this to the secretary of state, saying, "unless the President has objections of which I am not aware, I would earnestly recommend that a full power and instructions for this purpose be sent me; the moment is eminently favorable and such an occasion once lost may not in many years again recur."[22]

In order that there might be no cause for war, Alexander pretended to enforce against American vessels Napoleon's decrees. Large numbers of them were prevented from entering Russian ports or refused permission to unload their cargoes. Adams was completely deceived. Time and again throughout the summer, fall, and early winter of 1810 he appealed to the Russian government in behalf of these vessels. There was a delay, an examination or some other excuse was alleged, but finally Adams's request was always granted.[23] But if Adams was deceived Napoleon was not. He repeatedly urged Alexander to close his ports to American shipping.[24] Finally, on October 23, 1810, he called upon Alexander to seize all vessels with colonial articles in his ports, confiscate the goods and prohibit future importation.[25] This was directed against American vessels,

[21] In 1806 the total values of the exports from the United States to Russia were $12,407, while in 1810 they were $3,975,698, and in 1811, $6,137,657. The domestic merchandise exported to Russia from the United States in 1806 was worth $3,580, in 1810, $1,048,762, and in 1812, $1,630,499. The exports were only a small portion of the commerce between the United States and Russia. Statistical Tables Exhibiting the Commerce of the United States with European Countries from 1790–1890. House Misc. Doc., 2d Sess., 52d Cong., 1892–1893, vol. 26, p. xvi; Pitkin, Statistical View of the Commerce of the United States of America, p. 230.

[22] J. Q. Adams to R. Smith. Sept. 5, 1810. Despatches, Russia, vol. 1, no. 23. MS., State Department Archives.

[23] J. Q. Adams's Memoirs, vol. 2, pp. 143–144, 151–156, 168–169, 191–192, 194–202, 233–236, 240–241, 246.

[24] Thiers, Consulate and Empire, vol. 12, pp. 25, 30–32, 182.

[25] Fournier, Napoleon the First, pp. 516–520.

nearly all of which came to Russia laden with colonial products.[26] On December 1, 1810, the Czar informed the French ambassador at his court of his refusal to obey Napoleon's orders, and, on December 30, issued a ukase which opened his ports to all colonial merchandise transported in bottoms not English.[27]

That Alexander should take such a step was most unexpected to Adams. It seemed incredible to him that at the time when the United States were patiently enduring the insults of both England and France the Emperor of Russia should persist in his policy of favoring American commerce, especially when it meant a war with Napoleon. In transmitting to the secretary of state the news of Alexander's reply to Napoleon, Adams wrote, "The determination of the Emperor . . . is said to be fixed and unalterable, and I hope will prove so at the test to which I think it will be brought, but if a message comes, like that to Sweden, which is not impossible, the necessity of commerce and the real regard for the United States, which is undissembled and unimpaired, may yield to the first principles of Russian policy which is at all events to keep on good terms with France."[28]

At the first of June, 1811, Adams, having received the powers for which he had written, confidentially informed Count Romanzoff that he was now authorized to negotiate a commercial treaty, if it should be agreeable to the Emperor. This communication was very favorably received by the Chancellor. It was the interest of Russia, he said, to encourage, strengthen, and multiply commercial nations which might be the rivals of England, so as to form a balance to her overbearing power. Russia could never be a great naval power since nature had in a great measure denied her the

[26] J. Q. Adams, Memoirs, vol. 2, pp. 195–196.
[27] C. de Cardonne, Le Commerce Exterieur de la Russie. Revue Contemporaine, 1862, vol. 2, p. 765.
[28] J. Q. Adams to R. Smith. Dec. 5/17, 1810. Despatches, Russia, vol. 1, no. 34. MS., State Department Archives.

means. She ought then to support and favor those who had them. The propriety of extending this spirit to the United States had become more obvious and strong by the decay and disappearance of the old commercial states. He said that he foresaw only one difficulty in the way of Adams's proposal, and that was that in the violent and convulsed state of commerce and of the world at that time he hardly conceived it possible to agree upon anything that had common sense in it, if he might use that expression. But, continued the Count, at any rate, that need not prevent them from discussing the subjects which concerned the commerce of their countries and coming to an agreement if they could. He then promised to see Adams in a few days about the matter, but he never did. The war between Russia and France was inevitable. Consequently a change of administration was at hand, for Romanzoff was the leader of the French party at the Russian court. Russia would again become the ally of England and she could not grant to the United States any commercial privileges which she would be unwilling to extend to England, her great rival in time of peace.[39]

As Adams had been led by Romanzoff's intimations to make the proposal for a commercial treaty he was somewhat piqued that the Count did not resume the subject with him. He let two months pass, and then said to Romanzoff in the course of conversation that the reason why he had not further mentioned to him the subject of the treaty of commerce was owing to the uncertainty both in the state of public affairs and his own situation in St. Petersburg, as he did not know what the ultimate disposition of his government with regard to his mission had been or would be. The Count replied that from the uncertainty in the state of everything it seemed really impossible to enter upon any discussion relative to commerce, for they did not know from day

[39] J. Q. Adams to R. Smith. April 29, 1811. Despatches, Russia, vol. 2, no. 47. MS., State Department Archives; same to same. June 2, 1811. Ib., no. 52; J. Q. Adams, Memoirs, vol. 2, p. 271.

to day whether there would be any commerce. And with this the subject was dropped.[30]

Although Romanzoff's conversations could leave no doubt that self-interest was the primary motive for Russia's protection of neutral commerce and her interest in the United States, yet Adams was sincerely persuaded that a personal sentiment of the Emperor for the United States did also largely influence this policy. He therefore wrote to the secretary of state, suggesting that if the President should put in his message some general expressions about the regard which Russia had shown for the rights of the United States, and also some complimentary remarks about the Emperor personally, they might have a favorable effect upon him to continue his friendly policy.[31]

The President did not, however, follow this advice as fully as Adams wished. In his message of November 5, 1811, President Madison merely said: "Our other foreign relations remain without unfavorable changes. With Russia they are on the best footing of friendship."[32]

It was believed at the Russian court that after Adams's return to the United States his government would be represented there by only a *chargé*. Under this impression a commission was sent to Count Pahlen giving him discretionary powers to remain in the United States or to go to Brazil without positively terminating his mission in the United States.[33] Count Pahlen elected to go to Brazil. Russia then determined to continue to be represented in the United States by a minister. On November 9, 1811, Pahlen wrote to the secretary of state asking when he might present his letter of recall to the President, as he had been appointed

[30] J. Q. Adams, Memoirs, vol. 2, pp. 289–290.

[31] J. Q. Adams to J. Monroe. Aug. 2, 1811. Despatches, Russia, vol. 2, no. 61. MS., State Department Archives.

[32] Messages and Papers of the Presidents, vol. 1, p. 491.

[33] J. Q. Adams to J. Monroe. June 15, 1811. Despatches, Russia, vol. 2, no. 51. MS., State Department Archives. Count Pahlen had arrived in the United States in June, 1810. Count Pahlen to R. Smith. June 18/30, 1810. Russia, notes. MS., State Department Archives.

minister to the court of the Prince Regent of Brazil, and informing him that Daschkoff had been appointed his successor.[34] On November 14 Daschkoff informed Secretary Monroe of his appointment and was immediately accredited.[35]

[34] Count Pahlen to J. Monroe. Nov. 9, 1811. Russia, Notes. MS., State Department Archives.

[35] A. Daschkoff to J. Monroe. Nov. 13, 1811. Russian Legation, vol. 1; J. Monroe to A. Daschkoff. Nov. 14, 1811. Notes to Legations, vol. 2. MSS., State Department Archives.

CHAPTER IV.

The Russian Offer of Mediation.

It was clear in the spring of 1811 that war was imminent between France and Russia. It appeared too as if war might break out between the United States and Great Britain. In February, 1811, Pinkney was withdrawn from London, and in May of that year occurred the duel between the "President" and the "Little Belt." Russia wished no war between England and America. It was greatly to her interest at that time that peace should be preserved between those two countries. Russian commerce consisted almost wholly of exports, and should a war arise between the two great carrying nations of the world Russia would either have to sacrifice all her export trade or permit it to be carried by English vessels. The first would cause an internal financial crisis. The second course could not be taken without an avowed and formal treaty of peace with England which would precipitate the war with France, which, if it could not be avoided, Russia was desirous of deferring as long as possible.[1] Besides, in case Great Britain and the United States should go to war, Russia feared lest the United States should join her enemy Napoleon.

On June 22, 1812, Napoleon declared war against Russia, on the twenty-fourth he crossed the Niemen, and by September 14 he had arrived in Moscow. With the hope of more successfully resisting Napoleon Russia made peace with England on July 6, 1812. On June 18, 1812, however, the Congress of the United States had declared war against Great Britain. This was a blow to Russia. Whatever benefits she had hoped to obtain for her commerce by making

[1] J. Q. Adams to J. Monroe. June 2, 1811. Despatches, Russia, vol. 2, no 52; same to same. Oct. 16, 1811. Despatches, Russia, vol. 3, no. 72. MSS., State Department Archives.

peace with England were defeated by the new war between England and the United States. This new war would also cause a diversion of the English forces away from the Peninsula to Canada and the consequent increase of the French troops brought against Russia. The Russian cabinet was likewise confronted by the possibility that Napoleon might induce the United States to join him against their common enemy, Great Britain. Such an alliance would not only greatly strengthen the resources and the power of the French Emperor but it would add another to the list of the enemies of Russia. It was to Russia's interest to prevent such an alliance.

There was no reason, however, for Russia to be uneasy on this last point, as the United States did not intend to enter into an alliance with Napoleon. With regard to Russia Secretary Monroe wrote, on July 1, 1812, to John Quincy Adams that should Russia become involved in the European war there was no reason why the war between the United States and Great Britain should affect in the slightest degree the friendly relations between the United States and Russia, as it was the sincere desire of the American government to preserve to their utmost extent those relations with that power.[2]

Before Adams had received this despatch Count Romanzoff, at the Emperor's command, sent for Adams and on September 21, 1812, told him that the Emperor deeply regretted that war had broken out between the United States and Great Britain. For, having made peace with Great Britain, he was much disappointed to find that the whole benefit which he expected his subjects would derive commercially from it would be defeated and lost by the new war between England and the United States. But as the Emperor had perceived that both sides had entered reluctantly into this war, he thought that the differences be-

[2] J. Monroe to J. Q. Adams. July 1, 1812. American State Papers, For. Rel., vol. 3, p. 625, and Instructions, vol. 7. MS., State Department Archives.

tween the parties might be amicably settled more easily and speedily by *indirect* rather than by *direct* negotiation. Therefore the Emperor had directed him, the Count said, to see Adams and to inquire if he was aware of any difficulty or obstacle on the part of the government of the United States if the Emperor should offer his mediation for the purpose of effecting a pacification. Adams replied that he did not know what his government's views on the war were, as he had not yet received any official notification of it, but that he did know that the war would affect unfavorably the interests of Russia and would be highly injurious to both the United States and England. And as for the proposal of the Emperor's mediation, Adams said, he was very sure that it would be received and considered as a new expression of his regard and friendship for the United States, and he was not aware of any obstacle which would cause it to be declined. Adams observed, however, that the British government would have to be consulted. The Count answered that he had already mentioned it to the British ambassador, Lord Cathcart, who had despatched this offer the day before by a messenger to England. The Count also said that he would write to Daschkoff and instruct him to make the proposition to the government of the United States.[1]

The war between the United States and England was an object of great concern to Russia. At another interview Romanzoff questioned Adams as to the authenticity of a rumor that there was an armistice in Canada and that the President had appointed commissioners for a new negotiation with Great Britain. Adams replied that he did not put any faith in such a report, as he had just received a letter from Russell, the American *chargé* in London, announcing that the British government had rejected a proposition which he had been authorized to make for a suspension of hostilities, and that he had been given his passports. The

[1] J. Q. Adams, Memoirs, vol. 2, pp. 401–404; J. Q. Adams to J. Monroe. Sept. 30, 1812. American State Papers, For. Rel., vol. 3, p. 625.

count then said that this incident would not discourage his government from making the offer of its mediation which he had formerly suggested, but on the contrary confirmed them in the belief and hope that a mediation would be successful.[4]

Adams received on December 4, 1812, Monroe's despatch of July 1, and in order to counteract the unfavorable impressions which the English interests were endeavoring to arouse against the United States at the Russian court, he communicated to Count Romanzoff a few days later that portion of it which related to Russia and the position which the United States took towards France. He was not authorized, he said, to make any official communication of the declaration of war, but that as the United States had been compelled to vindicate their violated rights against Great Britain by war, they were desirous that it should be confined exclusively to them and their enemy and that no other power should be involved in it. They also wished particularly to maintain their commercial and friendly relations with Russia. And while the war between France and Russia could not have been known to have begun at the time the secretary's despatch was written, yet it was not considered very improbable, and it was hoped that it would not in the slightest degree affect the friendly relations between Russia and the United States. With regard to France, Adams said, the principal matters of dispute which had long existed between the United States and France still remained unsettled and there was no prospect that there would be an immediate satisfactory settlement of them, but that whenever there should be it was not the intention of the government of the United States to enter into any more intimate connections with France.

At this declaration, for which Russia had been working, the Count expressed great satisfaction and said that it would prove equally satisfactory to the Emperor. He declared

[4] J. Q. Adams to J. Monroe. Oct. 17, 1812. American State Papers, For. Rel., vol. 3, pp. 625-626.

that it was the Emperor's fixed determination to maintain friendly and commercial relations with the United States in their fullest extent so far as depended upon him. And as the Emperor would be particularly gratified that it was not the intention of the American government to form any closer connection with France, he wished to know precisely if what Adams had stated to him came directly from his government. To this Adams replied in the affirmative. As it was believed in England that there was an understanding between France and the United States, the Count then asked if Adams had any objection to his communicating to the British government this part of his information. Adams said he had no objection, for as the British government had frequently intimated that the American government was partial to France and was even actuated by French influence, he hoped that the knowledge of his statement, with a consideration of the time and occasion upon which it was made, would tend toward removing the prejudices of the British cabinet and producing a disposition more favorable to conciliation.[5]

By communicating thus the policy of the United States towards France Adams hoped to increase the prospects of success of the mediation. He acted entirely upon his own responsibility and, in allowing Russia to inform Great Britain of the American policy, he possibly committed a serious diplomatic blunder, for Great Britain might have been more ready to make terms with the United States if she thought that in so doing she would be separating them from Napoleon.

Three days afterward Romanzoff showed Adams the draft of a letter for Count Lieven, the Russian ambassador at London. This despatch contained merely that portion of Adams's conversation with him on the policy of the United States towards France, and directed Lieven to make it

[5] J. Q. Adams to J. Monroe. Dec. 11, 1812. American State Papers, For. Rel., vol. 3, pp. 626–627; J. Q. Adams, Memoirs, vol. 2, pp. 427–428.

known to Lord Castlereagh with a view of promoting a pacification. After Adams had read it Romanzoff asked him to point out any inaccuracies, in order that it might conform exactly with what he had said. Adams pointed out a few minor mistakes, which the Count immediately struck out. At this interview Adams asked the Chancellor whether he had received an answer from England to the proposal of the Emperor's mediation. The Count replied that, without accepting or rejecting it, the British government had intimated the belief that it would not be acceptable in America, that they thought the time for negotiating was not yet come, but nevertheless it appeared that they had sent out Admiral Sir John Borlase Warren with powers to negotiate.[6]

In January, 1813, Daschkoff, the Russian minister to the United States, suggested to President Madison that the Emperor of Russia would take pleasure in mediating between Great Britain and the United States. This suggestion was not made in obedience to instructions, and Daschkoff said that the President received it with indifference.[7] On February 24, 1813, arrived Adams's despatches containing the news of the Russian proposal, and at the same time Daschkoff received his instructions to make the offer of mediation to the American government. On the following day he verbally communicated the Emperor's offer to Secretary Monroe, who received it *ad referendum*. Not having received any reply, Daschkoff became alarmed at the President's reference in his inaugural address to a vigorous prosecution of the war, and wrote to his government that he feared the mediation would meet with difficulties from the ties which bound the United States to France. But the administration did not wish to be hindered by Congress.

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[6] J. Q. Adams, Memoirs, vol. 2, pp. 430–433; J. Q. Adams to J. Monroe. Dec. 11, 1812. American State Papers, For. Rel., vol. 3, pp. 626–627.

[7] R. King to C. Gore. Aug. 29, 1813. Life and Correspondence of Rufus King, vol. 5, pp. 342–344; J. Q. Adams to J. Monroe. Oct. 17, 1812, American State Papers, For. Rel., vol. 3, pp. 625–626.

Monroe waited until it had adjourned and then he announced verbally to the Russian minister that the mediation would be accepted.[9]

Thereupon on March 8, 1813, Daschkoff wrote to the secretary of state that he "had just received" orders to offer to the President of the United States the mediation of the Emperor of Russia in the war between England and the United States. He said that the Emperor foresaw with regret that shackles were about to be placed upon the commercial prosperity of nations. The love of humanity and the interest of his subjects, whose commerce had already sufficiently suffered, commanded him to do everything in his power to remove the evil which this war was preparing even for those nations who did not take part in it. A direct discussion between the two belligerent parties would tend to excite their prejudices and asperity. To obviate this hindrance to a speedy pacification the Emperor offered his mediation.[9]

At the time that this offer was received in the United States the war with England had turned out to be a disastrous failure, except for some few victories on the sea. Hull had surrendered all Michigan and Van Rensselaer, unable to control his militia, had sacrificed an army at Queenstown. At the same time there arrived in America the news of Napoleon's great disaster and his hurried flight from Russia. News also came of the British official announcement, dated December 26, 1812, of the blockade of the Chesapeake and the Delaware. With the overthrow of Napoleon's prestige and the close alliance between Great Britain and Russia the last chance of forcing concessions from England vanished. A long war with no prospect of success lay before the United States.[10] In such a condition of affairs the President eagerly seized the offer of Russian mediation.

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[9] Life and Correspondence of Rufus King, vol. 5, pp. 318–319, 344.
[9] A. Daschkoff to J. Monroe. Feb. 24 (Mar. 8), 1813. American State Papers, For. Rel., vol. 3, p. 624.
[10] H. Adams, History of the United States, vol. 7, pp. 30–33.

This offer President Madison believed to be an expression of Russian friendship actuated by an underlying desire to secure the advantages of neutral competition in the British monopoly of Russian trade. He considered that it was the successful outcome of the policy of cultivating the good-will of the Emperor Alexander.[11]

Monroe, too, believed that the Emperor's proposition to make peace between the United States and Great Britain was founded upon a sincere desire to accomplish that end, as the war had seriously interfered with the commerce of Russia. In his opinion it would be wise and honorable to accept the offer. If Great Britain should accept the result was likely to be safe and even advantageous, for Russia would never exert her influence against an equitable code of neutral rights. Neither did he believe that it was necessary for the United States to wait in accepting and acting upon the mediation until it was known that it had been accepted by Great Britain. It would be impossible, he believed, that at a moment of Russian victories, when under great obligations to Russia, Great Britain should refuse the Russian mediation. Should she do so she would offend not only Russia but also a large portion of her own people.[12]

On March 11, 1813, the secretary of state wrote to Daschkoff that the President accepted the mediation of the Emperor of Russia to promote peace between the United States and Great Britain, and that without delay such arrangements would be made as would afford the Emperor the opportunity of accomplishing such an end.[13]

This occasion was considered to be of such great importance as to require a special mission of three. On April 17, 1813, the President appointed Albert Gallatin, secretary of the treasury, John Quincy Adams, the minister to Russia,

[11] J. Madison to T. Jefferson. March 10, 1813. Letters and other Writings of James Madison, vol. 2, pp. 559–560.
[12] Writings of James Monroe, vol. 5, pp. 278–280.
[13] J. Monroe to A. Daschkoff. March 11, 1813. American State Papers, For. Rel., vol. 3, pp. 624–625.

and James A. Bayard, formerly a senator from Delaware, as envoys extraordinary and ministers plenipotentiary. They were given two powers for treating with Great Britain; one for peace, including a definition of neutral rights, under the mediation of Russia, and the other for a treaty of commerce. These negotiations could be carried on elsewhere than at St. Petersburg. On April 22 the President appointed Adams, Gallatin and Bayard to negotiate a treaty of commerce with Russia, while Levett Harris was appointed secretary to both missions. In this last mission Adams, as minister to Russia, was given the priority.[14]

In his instructions to the envoys Monroe wrote that the decision of Great Britain was not yet known, but it was presumed that she would accept the mediation owing to her friendly relations with Russia. Monroe instructed them to endeavor particularly to arrange an understanding between the United States and Russia with regard to neutral rights, and, in arguing the question of impressment and of every other neutral right, they were to explain to Russia without reserve the claims of the United States and the grounds upon which they rested. "There is not a single interest which you have to arrange in which Russia and the other Baltic powers may not be considered as having an interest with the United States. It is not to be presumed that the Emperor of Russia will wish the United States to make concessions which are to operate to his own disadvantage."[15]

With regard to a treaty of amity and commerce with Russia, the President considered that the occasion was particularly auspicious for concluding one. A reciprocation of the rights of the most favored nation was to be adopted as the basis of the treaty. And as a good understanding with Russia on neutral rights was "an object of the highest

[14] Annals of Congress, 13 Congress, 1813–1814, vol. 2, pp. 2667–2668; J. Monroe to J. Adams. April 19, 1813. Writings of James Monroe, vol. 5, p. 251.

[15] J. Monroe to Gallatin, Adams, and Bayard. April 15, 1813. Instructions, vol. 7. MS., State Department Archives.

importance," Monroe instructed the envoys to have this understanding placed in the treaty, but that whatever stipulations they might enter into with Russia on the subject of neutrals, they were to be careful not to commit the United States in any way to maintain and enforce those rights on the other powers or to prolong the present war with Great Britain.[16]

On May 11, 1813, Gallatin and Bayard left the United States to join Adams in St. Petersburg.[17] On May 25, at the opening of the special session, the President informed Congress that after the close of the last session the offer of the Russian Emperor's mediation in the war between the United States and Great Britain had been formally made, and that he had accepted it and had commissioned three envoys with the requisite powers to conclude a treaty of peace with Great Britain under the mediation of Russia.[18] The President did not, however, send in to the Senate the nomination of these ministers until May 31.[19]

Gallatin's nomination met with strong opposition on the ground that the functions of secretary of the treasury and envoy extraordinary were incompatible. By a resolution of the Senate the President was called upon to state whether Gallatin retained the office of secretary of the treasury and, in case he did, who performed the duties of that office in his absence. The President replied that the office of the secretary of the treasury was not vacated by Gallatin's appointment to Russia and that the secretary of the navy performed its duties during Gallatin's absence. The Senate then on July 19, 1813, rejected Gallatin's nomination but confirmed those of Adams and Bayard.[20]

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[16] Same to same. April 27, 1813. Instructions, vol. 7; MS., State Department Archives.

[17] A. Gallatin to Baring Bros. and Co. Gottenburg, June 22, 1813. Writings of Albert Gallatin, vol. 1, p. 546.

[18] Messages and Papers of the Presidents, vol. 1, pp. 562–567.

[19] Senate Executive Journal, vol. 2, p. 346.

[20] Senate Executive Journal, vol. 2, p. 390; H. Adams, History of the United States, vol. 7, pp. 59–64.

The President would not remove Gallatin from the treasury but determined to leave the mission to Russia on the footing on which it was placed by the vote of the Senate. A new commission was sent to Adams and Bayard, and they were instructed that whatever had been done jointly under the commission to the three ministers, in compliance with their instructions, would not be affected by this event. They were ordered to explain to the Russian ministry and to the British ministers, in case Great Britain should have accepted the mediation and appointed ministers, that the omission of Gallatin was due to a majority of only one vote in the Senate on the ground that his appointment to Russia was incompatible with his position in the cabinet and not from any change of opinion or want of full confidence of the government or nation in him. They were especially to place this occurrence before the Emperor in such a light that he might not get the impression that a change of opinion had taken place in the President respecting the mediation of the Emperor (the great object of the mission) or respecting any other of the objects confided to it.[21]

That the President had accepted the Emperor's offer of mediation was not known in St. Petersburg until June, 1813, and then only through the English papers, which likewise said that England would decline the offer.[22] This was indeed the truth. Notwithstanding Romanzoff's avowals to Adams and then to Gallatin, that the offer of mediation had been made at the same time and in the same manner to Great Britain as to the United States,[23] the first the British government heard of the mediation was upon the notice of the passport given by Admiral Warren, commanding the English fleet in the Chesapeake, for the vessel which con-

[21] J. Monroe to Adams and Bayard. Aug. 6, 1813. Instructions, vol. 7. Daschkoff had written to Monroe that he feared that Gallatin's rejection would have a harmful effect upon the mediation. A. Daschkoff to J. Monroe. July 26, 1813, Russian Legation, vol. 1, MSS., State Department Archives.

[22] J. Q. Adams, Memoirs, vol. 2, p. 471.

[23] Ib., pp. 403, 412, 541–542, 592.

veyed Gallatin and Bayard on their way to St. Petersburg.[24] The question of maritime rights, the cause of the war, was one that was considered to strike at the very foundation of the supremacy of England, and under no circumstances would she submit them to the intervention of a third party, especially to such an interested party as Russia.[25] A meeting of the British cabinet was immediately held, and it was unanimously determined that the mediation should not be accepted. This resolution was first made known verbally to the Emperor of Russia in June at Bautzen by Lord Cathcart, the English ambassador. To this the Emperor replied that in that case he could have nothing more to do in the matter. On July 6, 1813, the English ambassador informed the Emperor in writing that Great Britain had declined his offer.[26]

On July 13, 1813, Castlereagh sent Cathcart fresh instructions to present a formal note to the Emperor stating that the Prince Regent was ready to name plenipotentiaries to meet and treat with the American ministers about peace either at London or Gottenburg.[27] Before he sent these instructions, however, Castlereagh read them to Count Lieven, the Russian minister at London.[28]

Romanzoff had hinted vaguely to Adams that England would decline the mediation. On June 22, 1813, he told him that he had received despatches from Count Lieven stating that the British government had replied that there was no mediation which they would so readily and gladly accept as that of the Emperor of Russia, but their differences with the United States, involving certain principles of the internal

[24] Ib., pp. 551, 591; Castlereagh to Cathcart. July 5, 1813. Foreign Office Records, Russia, 83, quoted in Dorman, History of the British Empire in 19th Century, vol. 2, p. 172.

[25] Ib., Castlereagh to Cathcart. July 14, 1813. Castlereagh Letters, vol. 9, pp. 34–35; H. Adams, History of the United States, vol. 7, pp. 341–342.

[26] J. Q. Adams, Memoirs, vol. 2, pp. 542, 551, 591.

[27] H. Adams, History of the United States, vol. 7, p. 342.

[28] Castlereagh to Cathcart. July 14, 1813. Castlereagh Letters, vol. 9, p. 35.

government of England, were of a nature which they did not think suitable to be decided by a mediator. To this Adams replied that it was no more than he had expected, but he was glad that the President had shown by the appointment of such distinguished envoys his esteem for the Emperor's friendship as well as the consistent desire of the American government for peace. Romanzoff answered that such was the light in which he had represented it to the Emperor, and he would now consult with the Emperor whether after the step taken by the American government it would be advisable to renew the proposal to Great Britain, for after-considerations might produce more pacific dispositions.[29]

Thus, when Gallatin and Bayard arrived in St. Petersburg, on July 21, 1813, the prospects for the success of their mission were "not flattering." Although it was widely reported that Great Britain would decline the proposal of Russian mediation, yet nothing was officially known.[30]

Adams presented his colleagues to Count Romanzoff on July 24. They delivered to the Chancellor copies of their letters of credence and of their powers. He at once warned them that their mission would not be immediately accomplished as the Emperor's absence from St. Petersburg would cause some delay. Upon Adams's mentioning that the subject of one of their powers was to form a treaty of commerce with Russia, the Count answered that they might be very sure they would be listened to in everything they might have to say on that topic.[31]

On July 30, through Harris, the secretary of the mission, the American ministers sent a note to the Chancellor officially stating the acceptance by the United States of the Emperor's

[29] J. Q. Adams to J. Monroe. June 26, 1813. American State Papers, For. Rel., vol. 3, p. 627; J. Q. Adams, Memoirs, vol. 2, pp. 473, 479–480.

[30] J. Q. Adams to J. Monroe. Aug. 9, 1813. Despatches, Russia, vol. 3, no. 116. MS., State Department Archives; J. Q. Adams, Memoirs, vol. 2, pp. 490–491.

[31] J. Q. Adams, Memoirs, vol. 2, p. 491; American Commissioners to J. Monroe. Aug. 17 (29), 1813. Writings of Albert Gallatin, vol. 1, pp. 569–574.

proffered mediation. They said they were ready, in pursuance of their powers under the mediation, to treat of peace with Great Britain, and requested to be informed as to what measures the Russian and British governments had taken towards this end.[82]

The American commissioners had little hope that England would accept the mediation of Russia. But as the Russian government refused to consider that its offer had been declined, the American commissioners thought that was a point for the Russian government to decide, not themselves.[83]

Having heard many reports that Great Britain had rejected the Russian proposal, Gallatin and Bayard did not wish to be detained unnecessarily at St. Petersburg if there was no hope of success, and so they asked Romanzoff to inform them as soon as possible if Great Britain should finally reject the mediation.[84] The Count replied that he was about to send them an answer to their official note, in which they would find that the British government had written to Count Lieven intimating that the acceptance of the Russian mediation would be fruitless on account of certain pretences then advanced by the American government. The Count said that as he wished to be informed about the pretensions referred to, especially as to the nature and history of the dispute about impressment, he requested that they send him an informal memoir on the subject. Gallatin and Bayard then put the question directly to the Count, whether, from the terms or nature of the answer which the British cabinet had given to the proposition of Russian mediation, it was his opinion that the British cabinet intended that the Russian government should understand that the

[82] J. Q. Adams, Memoirs, vol. 2, p. 497; Writings of Albert Gallatin, vol. 1, pp. 569–574.

[83] James A. Bayard to Cæsar Rodney. Oct. 15, 1813. Bayard Letterbook, MS., Lenox Library, New York.

[84] J. Q. Adams, Memoirs, vol. 2, pp. 498–499; American Commissioners to J. Monroe. Aug. 17 (29), 1813. Writings of Albert Gallatin, vol. 1, p. 570. This request was made on August 1, 1813.

mediation would not be accepted. The Count evaded a direct reply. He said that, whatever the real intention might be, he did not consider that there was anything in the answer of the British government which ought to be deemed final or to preclude the Russian government from renewing the overture, even in a more formal manner than had yet been done. He said that he had, on hearing of their arrival in Gottenburg, already written to the Emperor for authority to do this. He expressed his desire that the American envoys should remain in St. Petersburg until further information had been received from Count Lieven, and assured them that as soon as the Russian government was persuaded that Great Britain was determined not to accept the mediation he would not delay in informing them.[35]

The Count's promised reply to their first official note was received the next day, August 2. Of this the American ministers considered no acknowledgment was necessary. But on the following day they sent a note to the Chancellor proposing the negotiation of a commercial treaty between the United States and Russia. Romanzoff replied that it would be impossible in the present condition of European affairs, and especially in the Emperor's absence, to conclude any negotiation of that kind, but he would, however, inform the Emperor of their proposal and take his orders thereupon.[36]

When the Emperor had replied to the English refusal of his mediation that he would have nothing more to do with it, he was probably sincere in what he said. He had prevented an alliance between France and the United States and had thus accomplished the object for which the offer of mediation had been made. He had no good reason for

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[35] American Commissioners to J. Monroe. Aug. 17 (29), 1813. Writings of Albert Gallatin, vol. 1, p. 571.

[36] Ib., pp. 571–572; J. Q. Adams, Memoirs, vol. 2, 498–499; American Commissioners to Count Romanzoff. Aug. 3, 1813; Count Romanzoff to American Commissioners. Aug. 5 (July 24), 1813. Inclosures in American Commissioners to J. Monroe. Aug. 17 (29), 1813. Despatches, Russia, vol. 4. MSS., State Department Archives.

breaking with Great Britain, who had recently become the paymaster of his forces.[37] But Romanzoff did not intend to give up the mediation. He was the head of the French party at the Imperial court, and, though still chancellor and minister of foreign affairs, his influence was on the wane, while the Emperor transacted most of his foreign affairs through Count Nesselrode, who was with him at his military headquarters.[38] The policy of protecting neutral rights had always been a popular one in Russian diplomacy. Neutral rights was a leading feature in the mediation and one in which England would brook no interference. If Romanzoff could get the Emperor to insist upon the mediation his return to power would be secured, for England would either become irritated and break off her Russian alliance, or if she accepted the mediation it could be used to adopt principles favorable to Russian commerce. With the end in view of securing his own return to power, Romanzoff became the advocate of the mediation in façe of the British refusal, and at the news of the arrival of Gallatin and Bayard he wrote to the Emperor pressing a renewal of the offer. This reached the Emperor during the armistice which followed Napoleon's victory of Bautzen, and when the Emperor was in the midst of great perplexity. Napoleon was making advances to him. Alexander himself was endeavoring to win over the Emperor of Austria in order to crush Napoleon, but the Emperor Francis wavered as to which side he should take.[39] In doubt as to the future, the indecision which formed so strong an element of Alexander's character came to the front, and he gave his consent to a renewal of the offer of mediation.

In an interview which Adams had with the Chancellor on August 10, 1813, Romanzoff informed him that he had just

[37] Rose, Life of Napoleon I, vol. 2, p. 292.
[38] Ib., pp. 248, 252; Fournier, Napoleon the First, p. 560; J. Q. Adams, Memoirs, vol. 2, p. 438.
[39] Fournier, Napoleon the First, pp. 613, 615; Rose, Life of Napoleon I, vol. 2, p. 299.

received despatches from the Emperor in which that ruler fully approved his suggestion to renew the proposal of mediation, and had commanded him to carry it into effect according to his own ideas. Thus authorized, the Count said he would immediately order Count Lieven to renew the proposal to the British government. Romanzoff further stated that as Russia's only object and motive was to produce a reconciliation, he wished Count Lieven to be supplied with every means that might prevail upon the British government to accept this new offer. Therefore he requested that Gallatin and Bayard should send him the memorial which they had promised him.[40]

Romanzoff then told Adams that the Emperor was extremely gratified at the way in which the United States had accepted his offer of mediation and wished to show his appreciation by some special token of distinction to the extraordinary mission. As the Emperor had turned the matter over to him, he considered that the best way to do so was either to defray the expenses of the mission or to present to the envoys some special production of Russian manufacture, but he first requested Adams to give him his candid opinion on the subject. Adams replied that he would have to consult his colleagues about the matter, but that he himself was very grateful to the Emperor for his kind intention, and while he did not speak for the others he did not believe that either of the plans could be accepted, as the Constitution of the United States forbade public officers to accept presents or personal donations of any kind from foreign sovereigns. The Count answered that he was aware of this prohibition, but he thought that this was not to be considered in the nature of a present or gift, but merely as a manifestation of respect in order to distinguish the mission from an ordinary legation.[41]

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[40] J. Q. Adams, Memoirs, vol. 2, pp. 501–502; American Commissioners to J. Monroe. Aug. 17 (29), 1813. Writings of Albert Gallatin, vol. 1, p. 572.

[41] J. Q. Adams, Memoirs, vol. 2, pp. 504–505.

When Gallatin and Bayard had arrived at Gottenburg Gallatin wrote to Baring Brothers and Company, who were to be their bankers, that they had been appointed with full powers to treat of peace with Great Britain under the mediation of Russia, and requested them to make known their arrival in Gottenburg to the British government.[42] On August 17, 1813,[43] Gallatin received a reply from Alexander Baring, dated July 22, informing him that by the time he received that letter he would have been informed that Great Britain had refused the mediation, but that she desired to treat separately and directly at London, or Gottenburg, if more agreeable to the American envoys. Also, as the war was a sort of family quarrel, foreign interference could only do harm and irritate at any time but more especially at the present condition of affairs in Europe, when attempts would be made to make a tool of America.[44]

As the information in this letter bore every evidence of having come directly from Castlereagh, the American commissioners were greatly surprised that they had received no news of any such offer from England.[45] They became exceedingly anxious and uneasy under the responsibility of staying in Russia with the knowledge that Great Britain had not only declined the mediation but had offered to treat with them directly, for the chief object of their mission was to secure peace with Great Britain. Deciding that Baring's letter could not be made the basis of any official action by them, Gallatin and Bayard requested Adams to see Romanzoff and ask him for an official notification in writing of his intention to renew the proposal of mediation.

On August 19, 1813, Adams informed Romanzoff of his colleagues' request. The count explicitly assured him that

[42] A. Gallatin to Baring Brothers and Company. Gottenburg, June 22, 1813. Writings of Albert Gallatin, vol. 1, pp. 545–546.
[43] A. Gallatin to Alex. Baring. St. Petersburg, August 27, 1813. Writings of Albert Gallatin, vol. 1, pp. 564–567.
[44] Alex. Baring to A. Gallatin. London, July 22, 1813. Writings of Albert Gallatin, vol. 1, pp. 546–552.
[45] J. Q. Adams, Memoirs, vol. 2, p. 509–510.

nothing had been received from the British government which could be considered as a refusal to accept, but that from the tenor of the memoir which the American envoys had sent[46] and from the nature of the proposals which they were authorized to offer, as shown in it, he had strong hopes that not only would the British government accept the mediation but ultimately would be perfectly satisfied that the negotiations had taken this course. Adams then reminded Romanzoff that he had told him that Count Lieven had reported that Great Britain had objected to the mediation on the ground that the dispute with America involved principles relative to her internal government. The Count replied that Adams was mistaken, for he had never received any such information from Count Lieven. Adams then reminded him of their conversation on June 22 in which he had mentioned it, but the Count disclaimed any recollection of it. Romanzoff then asked Adams if the American envoys had not another power to treat with England directly. Adams replied that they had not.[47] The Count then changed the subject. He asked Adams what his colleagues had thought about the special mark of honor which the Emperor wished to show the mission. Adams told him that Gallatin and Bayard had concurred in the views he had already expressed to him, that while highly gratified at the Emperor's intentions they considered both proposals as incompatible with the American Constitution, and that, without presuming to dictate to the Emperor, they had thought that the very words in which the mission and its reception should be announced in the official journals might be made to manifest fully the Emperor's intention to honor it, and to have its proper effect on the opinions of Europe generally and on those of England in particular. The Count replied that such was not the Emperor's

[46] This was sent August 14. Writings of Albert Gallatin, vol. 1, p. 572–573.

[47] J. Q. Adams, Memoirs, vol. 2, pp. 509–512; J. Q. Adams to J. Monroe. Aug. 28, 1813. Despatches, Russia, vol. 3, no. 117. MS., State Department Archives; American commissioners to J. Monroe. August 17 (29), 1813. Writings of Albert Gallatin, vol. 1, p. 573.

wish, but that he would see that it was done as the envoys wished, and that there would be nothing further said on the subject.[48]

As if in answer to the request of Gallatin and Bayard, made through Adams, Count Romanzoff, on August 24, read to the American envoys his despatches to Count Lieven directing him to renew to the British government the proposal of the Emperor's mediation. These despatches consisted of a short letter to Count Lieven directing him to present the official note to Lord Castlereagh, the official note itself already drawn up and lacking only Lieven's signature, and a longer letter to him containing arguments to induce the acceptance by the British government of the mediation. This letter Count Lieven was authorized to communicate *in extenso* to Lord Castlereagh. There was one passage in the official note and one in the long letter to Lieven to which Gallatin objected, both of which the Count changed, though with some little unwillingness, to suit the American envoys.[49]

Castlereagh's despatch of July 13 to Cathcart, giving him the full reasons of the British government for declining the mediation, was not received until near the last of August. When Cathcart began to communicate its contents to the Emperor, Alexander said that it was unnecessary to go into any further details, as he had already instructed his Chancellor to express his regret to the American envoys that as England had declined his mediation he could take no further part in it.[50] But in order that there might be no misunderstanding Cathcart wrote at Töplitz, on September 1, an official note to Count Nesselrode, in which he informed him that the British government declined the Emperor's mediation, but was ready to treat of peace with the American plenipotentiaries at London or at Gottenburg.[51]

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[48] J. Q. Adams, Memoirs, vol. 2, pp. 514–515.
[49] Ib., pp. 516–518.
[50] Ib., pp. 542–543.
[51] J. Q. Adams, Memoirs, vol. 2, p. 593; Lord Cathcart to Count Nesselrode, Töplitz, Sept. 1, 1813. American State Papers, For. Rel., vol. 3, p. 622.

The despatches which Romanzoff had read to the American envoys on August 24 were sent to Count Lieven on the twenty-eighth.[52] Copies were also sent to the Emperor. In spite of his reply to Cathcart's communication of about a month before, Alexander sent Romanzoff a note of four lines in his own handwriting, expressing his complete approval of his letter to Lieven on the American affair and requesting him to carry out the matter in that manner. This was a complete justification for Romanzoff of his policy in detaining the American ministers in St. Petersburg by keeping from them the news of England's refusal and of her offer to treat separately. On October 10, 1813, the Chancellor showed this note to Adams.[53]

It appeared as if, after all, the mission might make some progress. Owing to the Emperor's absence the envoys had not even presented their letters of credence. This delay in the recognition of their diplomatic capacity was of no importance as Great Britain had not expressed any intention to appoint plenipotentiaries to treat with them. In consequence of information from Romanzoff that the Emperor had authorized him to receive their letters of credence, the American envoys, on October 12, delivered them in person to the Chancellor, and the mission was at last fully received as a foreign legation at the Russian court.[54]

It was not until the last of October that the news reached Gallatin through some American newspapers that his appointment had been rejected by the Senate. Without waiting for any official information, he wrote to Count Romanzoff that the Senate had refused to confirm his nomination as envoy while he still held the office of secretary of the treasury, and that while no official information on the subject had been received from America, yet he would no longer

[52] J. Q. Adams, Memoirs, vol. 2, p. 539.
[53] Ib., p. 531. The Emperor's note was dated, Töplitz, Sept. 8/20.
[54] J. Q. Adams, Memoirs, vol. 2, p. 532; American Commissioners to J. Monroe. Oct. 3 (15), 1813. Writings of Albert Gallatin, vol. 1, pp. 587–588.

continue to exercise functions that did not belong to him. But no inconvenience, he said, would result from this circumstance, as the two other members of the mission were authorized by the original appointment to act as well without him as with him.[55]

On that very day, November 1, the English consul at St. Petersburg told Harris that Lord Walpole, the English resident at St. Petersburg, had informed him that on September 20[56] Lord Cathcart had delivered to Count Nesselrode at the Emperor's headquarters a memoir from the British government, stating at full length their reasons for declining any mediation in the war with the United States, and that after reading this memoir the Emperor had said that in that case he could have nothing more to do in the affair. The consul also said that the British government had offered to treat directly with the American envoys. Tired of waiting, Gallatin and Bayard were most eager to leave, and yet they thought it would be unjustifiable to go without official information from the Russian government concerning the rejection of the mediation, and so they at once sent Harris to Romanzoff to inquire if he had received any such news. The Count told Harris that he had received from Count Lieven a despatch in answer to the instructions which he had sent him on August 28 to renew the offer of the Emperor's mediation, in which Lieven said that he had not done so because when that despatch had arrived he had already received from the British government and transmitted to the Emperor a memoir formally and explicitly rejecting the mediation. But the Chancellor said that he had received from the Emperor no orders, nor even any information, about this memoir from England.[57]

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[55] J. Q. Adams, Memoirs, vol. 2, p. 538; A. Gallatin to Count Romanzoff. Nov. 1, 1813. Writings of Albert Gallatin, vol. 1, pp. 590–591.

[56] This is probably a mistake for September 1.

[57] J. Q. Adams, Memoirs, vol. 2, pp. 539–540. Lord Walpole told J. Q. Adams, on April 2, 1814, that Count Lieven did renew the offer of mediation. Ib., p. 592.

On the evening of the same day Gallatin saw Romanzoff with regard to his departure. The Count advised him to wait for instructions from his home government before he gave up his place on the mission. Gallatin spoke of Bayard's situation and his wish to go with him, as they now knew it to be a fact that Great Britain had definitely rejected the Emperor's mediation, if they could receive instructions in such form as to warrant his departure. The Count replied that he was not yet in possession of such facts as would justify him in making to them a written communication. He said he had received two despatches from Lieven, one some days before (Gallatin inferred about ten days), in which he acknowledged the receipt of the instructions to renew the offer of mediation.

Concerning the second despatch, received two days previously, Romanzoff repeated to Gallatin what he had told Harris.[58]

Several days later Romanzoff repeated to Adams the substance of what he had said to Gallatin, but with one important addition. He said that in the first despatch from Lieven, which was an answer to the instruction to renew the offer of mediation, Lieven wrote that he had communicated confidentially and verbally with Lord Castlereagh concerning the former answer given by the British government to the Emperor's offer, and that Castlereagh had admitted that the former answer was not a rejection. With regard to the memoir which Lieven wrote about in his second letter, Romanzoff declared that he had no information of it from the Emperor. The Count likewise said that Lord Walpole had insinuated rather than directly asserted that Lord Cathcart had informed the Emperor of the refusal of England to treat under the mediation and at the same time had declared the readiness of the English government to treat directly with the American envoys either at London or Gottenburg. Adams, exasperated at Romanzoff's diplomacy, replied that

[58] J. Q. Adams, Memoirs, vol. 2, pp. 540–541.

he had heard that Walpole had gone even further and had publicly stated that the Emperor had told Lord Cathcart he had given orders that the Americans should be informed that he could proceed no further in the business. To this the Count made no reply. Adams then spoke of the anxiety of Gallatin and Bayard to return home. The Chancellor answered that he thought neither of them could go until official and positive information should come to them to warrant their departure.[59]

Without instructions from home, without any official information from the Russian government that its offer of mediation had been declined by Great Britain, the American envoys still remained in St. Petersburg. They had heard unofficially, too, that Great Britain had offered to treat with them directly. To secure peace for their country was the first and great object of their mission. They feared that to depart without any official information as to what Great Britain would do would destroy every prospect of accomplishing the object of their mission and offend the only nation of Europe which had shown any friendly disposition towards the United States. Gallatin, the only one who had an excuse for departing, lingered on in hope that some information would come from the Emperor's headquarters which would allow Bayard to go with him.[60] But none came. The Emperor was forcing Romanzoff out of office. He had forbidden any one to write to the Chancellor, while he himself never wrote to him on matters of business.[61]

Determined finally to depart, Gallatin, at the beginning of January, 1814, pressed Romanzoff to tell him when an answer might be received from the Emperor as to what information should be given to the American envoys concerning Great Britain's action in the peace negotiations. The Count said he could not tell, and then proceeded to complain

[59] J. Q. Adams, Memoirs, vol. 2, pp. 544–547.
[60] A. Gallatin to J. Monroe. Jan. 7, 1814. Writings of Albert Gallatin, vol. 1, pp. 593–594.
[61] J. Q. Adams, Memoirs, vol. 2, p. 553.

of the Emperor's treatment of him. He said that he was no longer able to do the business of his office, and that his sole motive for not resigning was that he wished to close the affair of the American peace mission.[62]

Unable to obtain any official information as to the fate of the offer of mediation or of England's offer to negotiate directly, Gallatin and Bayard left St. Petersburg on January 25, 1814.[63]

On February 1, 1814, Romanzoff sent for Adams and showed him a despatch from Count Lieven which he said he had received the day before. It was dated December 8 (November 26, O. S.), 1813, and stated that, as the British government had been informed of the definitive refusal of the American ministers at St. Petersburg to negotiate for peace directly with them on account of the limitation of their powers to a negotiation under the Emperor's mediation, Lord Castlereagh had told him (Lieven) that, in order to avoid some of the delays which would arise from waiting until the envoys could write to their government for further instructions and powers, he himself had just written to Secretary Monroe, proposing to him to send his instructions and powers for a direct negotiation through the commander of the English fleet in American waters. As this was the first information on this subject that Adams had received through the Russian government, he requested a copy of this letter, and as it was refused he drew the conclusion that the delay in informing him of its contents was due to design and not neglect.[64]

Castlereagh had, indeed, made such a communication to the American government as Lieven had reported. The

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[62] Ib.

[63] A. Gallatin to Baring Brothers and Company. Amsterdam, March 7, 1814. Writings of Albert Gallatin, vol. 1, p. 600.

[64] J. Q. Adams, Memoirs, vol. 2, pp. 568–569; J. Q. Adams to J. Monroe. Feb. 5, 1814. Romanzoff to J. Q. Adams. Jan. 21 (Feb. 2), 1814. Despatches, Russia, vol. 2, no. 128 and inclosure. MSS., State Department Archives.

British minister on November 4, 1813, wrote to the American secretary of state inclosing a copy of Cathcart's note of September 1, 1813, to Nesselrode declining the Russian offer of mediation, yet at the same time stating the willingness of the British government to negotiate directly with the American plenipotentiaries either at London or at Gottenburg. In his note Castlereagh stated that Cathcart had informed him that the American commissioners at St. Petersburg had intimated in reply to this overture that they had no objection to a negotiation at London and were equally desirous, as the British government had declared itself to be, that this business should not be mixed with the affairs of the continent of Europe, and that their powers were limited to negotiating under the mediation of Russia. Therefore if the President was willing to enter upon a direct negotiation, Castlereagh proposed that in order to avoid delays new instructions should be sent to the commissioners at St. Petersburg through the commander of the English fleet in American waters. This offer of direct negotiation for peace Monroe accepted in the President's name on January 5, 1814.[65]

Thereupon the secretary of state wrote to Adams and Bayard directing them to go immediately to Gottenburg, as arrangements had been made for a direct negotiation there between the United States and Great Britain, without the aid of Russian mediation.[66]

These instructions were received by Adams on April 1, 1814.[67] On the next day Adams saw Lord Walpole and expressed to him his great surprise at seeing it stated in Castlereagh's note to Monroe (for Monroe had sent Adams a copy) that Cathcart's note to Nesselrode had been made known to the American plenipotentiaries and they had answered the overture contained in it. Adams declared that

[65] Castlereagh to J. Monroe. Nov. 4, 1813; J. Monroe to Castlereagh. Jan. 5, 1814. American State Papers, For. Rel., vol. 3, pp. 621, 622–623.

[66] J. Monroe to Adams and Bayard. Jan. 8, 1814. Ib., p. 701.

[67] J. Q. Adams, Memoirs, vol. 2, p. 590.

no communication of it had ever been made to them and that, excepting what he had heard about it through Walpole, he knew nothing of it until he saw it in the printed documents which he had received the day before. Walpole replied that he did not doubt that all knowledge of this note had been purposely withheld, because, if it had been communicated, Romanzoff, who had gotten into his head some wild project of a congress and a maritime law, saw that Russia could no longer have anything to do in the matter. Walpole said there was one thing he was as certain of as of his own existence, and he believed that he could prove it too, and that was that Romanzoff had been cheating both parties. Adams replied that whatever Count Romanzoff's projects about maritime law might have been, he had never manifested to him the slightest intention of connecting them with the mediation which he had been given to understand had originated with the Emperor himself.[68]

A week later Adams wrote to Senator Weydemeyer, who now had charge of the department of foreign affairs *ad interim*, that the President had accepted the Prince Regent's offer for a direct negotiation, and that while the President would have wished to have asked first if such action would be agreeable to the Emperor, he had not done so as he did not wish to delay opening the negotiations. Adams then strenuously denied that the American ministers had ever made any answer to Cathcart's overture to Nesselrode, inasmuch as they could never obtain any official information that such an overture had been made.[69]

On the next day Adams called upon Weydemeyer relative to his departure, and again renewed his disavowal of the answer stated by Lord Castlereagh to have been given by the American envoys to the English proposal of a direct

[68] J. Q. Adams, Memoirs, vol. 2, pp. 591–592.

[69] J. Q. Adams to J. Monroe. April 15, 1814; J. Q. Adams to Weydemeyer. March 26 (April 7), 1814. Despatches, Russia, vol. 2, no. 132 and inclosure. MSS., State Department Archives.

negotiation at London or Gottenburg. Weydemeyer said he would not fail to inform the Emperor of it.[70]

Before leaving St. Petersburg Adams called to say farewell to Count Romanzoff. Adams mentioned the note which he had sent to Weydemeyer, but the Count said that he had not seen it. Adams then told him of his disavowal of the answer which Castlereagh had stated to have been made by the American envoys. The Count declared that he had never received any such note as that of Lord Cathcart's. He expressed surprise at hearing that it was addressed to Count Nesselrode. He endeavored to explain it by supposing that Walpole had written to Cathcart reports of conversations, loose and unofficial, from which these assertions of Lord Castlereagh might have arisen. All this proceeded, he declared, from the double mode of transacting business, at St. Petersburg through one channel and at headquarters through another. Adams told the Count that he and his colleagues had been very much surprised to see these statements, and he in particular, when he compared Lord Cathcart's note, dated September 1 (N. S.), 1813, with the letter from the Emperor to him (Romanzoff) dated September 8 (O. S.), 1813, and therefore twenty days after Cathcart's note.[71]

On April 28, 1814, Adams, on a leave of absence, left St. Petersburg for Gottenburg.[72]

In consenting to a direct negotiation with Great Britain the United States still relied upon Russia. Russia had hitherto opposed Great Britain in all questions of neutral rights, and it was inferred that a respect for the general policy of Russia and the friendly sentiments and interposition of the Emperor would influence the British government to adopt a pacific policy towards the United States.[73]

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[70] J. Q. Adams, Memoirs, vol. 2, p. 594.
[71] J. Q. Adams, Memoirs, vol. 2, pp. 599–600.
[72] Ib., p. 603.
[73] J. Monroe to American Commissioners. June 25, 1814. American State Papers, For. Rel., vol. 3, pp. 703–704; same to same. July 27, 1814. Instructions, vol. 7. MS., State Department Archives.

Monroe believed that Great Britain had declined the mediation because she feared that the United States and Russia might come to some understanding and prevent her from obtaining as favorable a treaty as she otherwise might. He therefore instructed the American peace commissioners that in agreeing to treat directly with Great Britain not only was no concession contemplated on any point in controversy, but the same desire was cherished to preserve a good understanding with Russia and the Baltic powers, as if the negotiation had taken place under Russian mediation; and that Adams and Russell had been appointed on the commission in order that they might keep up direct communication with the governments to which they were accredited and endeavor to get Russia and Sweden to exert their influence upon England to moderate her demands.[74]

Monroe wrote to Adams, February 3, 1814, that he was to endeavor to obtain the good offices of the Emperor of Russia in the proposed negotiation with Great Britain, and to influence that monarch he was to explain to him the Embargo and the favored conditions allowed to Russian trade in the United States.[75]

On the last day of March, 1814, the Allied Sovereigns entered Paris, and the Emperor Alexander became the leader in dictating terms to France. From London Gallatin wrote to W. H. Crawford, the American minister to France, that the British ministry would be neither disposed to make the least concession in order to obtain peace, nor at all displeased in case of failure of the negotiations. He said that he believed that the only external check to this disposition was the friendly interference of the Emperor Alexander, urging upon the British government, not as a mediator but as a common friend, his strong desire for a general restoration of peace in the civilized world. Of the Emperor's friendly

[74] Same to same. Jan. 28, 1814. Instructions, vol. 7. MS., State Department Archives.

[75] J. Monroe to J. Q. Adams. Feb. 3, 1814. Instructions, vol. 7. MS., State Department Archives.

disposition towards the United States there was no doubt, but as he might have now forgotten them, Gallatin urged Crawford that he or some one fitted for the purpose should call Alexander's attention to the situation of the United States and to the great weight which his opinion would have at that time upon the British government.[76]

But the expectations of the American government and its envoys that the Russian Emperor would interest himself further in the peace negotiations were in vain. Shortly after the arrival of the allies in Paris Crawford called upon Count Nesselrode, but he could not be seen. Soon afterwards Crawford called a second time, and again he was informed that the Count was too busy to see him. In despair of getting an interview with Nesselrode, Crawford sent him a note requesting an audience and saying that, as he foresaw that his engagements might prevent his compliance with the request, he desired him to communicate to the Emperor his wish to be presented to a monarch who had given such proofs of friendship to the United States. To this note Crawford received no reply. He then requested La Fayette to endeavor to have his object made known to Nesselrode or to the Emperor through La Harpe, formerly the Emperor's tutor. But every effort through this channel likewise proved unsuccessful. To Crawford it seemed as if there was a fixed determination to prevent the approach of any one who had anything to do with the United States.[77]

But about May 20, 1814, Crawford was informed by La Fayette that if he would draw up a short statement of the reciprocal causes of complaint between the United States and England he (La Fayette) would have it given to the Emperor. Without any hope of success Crawford drew up such a note, which the Emperor did receive.[78]

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[76] A. Gallatin to W. H. Crawford. April 21, 1814. Writings of Albert Gallatin, vol. 1, pp. 602–605.

[77] Crawford to American commissioners. Paris, May 13, 1814. Writings of Albert Gallatin, vol. 1, pp. 614–616.

[78] Same to same. Paris, May 24, 1814. Ib., p. 619; La Fayette to Crawford. May 25, 1814. Ib., pp. 620–621.

On May 25, 1814, at the house of Madame de Staël, La Fayette had a long conversation with the Emperor Alexander about American affairs. The Emperor told him that he had read with much pleasure and interest Crawford's note which La Fayette had sent him. La Fayette called to his attention the confidence which the United States had shown in him by their ready acceptance of his mediation. The Emperor replied that he had attempted twice to bring about a peace. La Fayette then urged him to make a third attempt, to exert his personal influence to put a stop to a war which was so hostile to the cause of humanity. The Emperor promised that he would do so, and said that his journey to London would afford opportunities of which he would try to make the most.[79]

After the Emperor of Russia had arrived in London Gallatin and Levett Harris had an interview with him. The Emperor gave them to understand that he could not now interfere. He said that his friendly dispositions towards the United States were unimpaired, that he earnestly wished that peace might be made between them and England, and that he regretted that his efforts in that direction had been fruitless, but he did not believe that he could be of any service now on that subject, as England would not admit a third party to interfere in her dispute.[80]

Although Gallatin saw that no active aid could be expected from Russia in behalf of the United States, he presented to the Emperor an unofficial note respecting the question of impressment and the terms on which the United States were willing to make peace, as he considered it important to preserve in the Emperor's mind a favorable opinion of the grounds upon which the United States had

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[79] La Fayette to W. H. Crawford. May 26, 1814. Writings of Albert Gallatin, vol. 1, pp. 623–624.

[80] A. Gallatin to J. Monroe. London, June 20, 1814. Ib., pp. 632–633.

made war, of the rights they were maintaining, and of their general pacific disposition.[81]

In March, 1814, Daschkoff wrote to the secretary of state complaining of the harmful effects on Russian commerce of the embargo of December 7, 1813. In June he wrote again that although the embargo had now been repealed, yet Russian vessels were still interrupted, molested, and captured on the slightest pretext by the public armed vessels and privateers of the United States.[82]

As it was then the policy of the American government to gain the influence and favor of the Russian Emperor, the President, on June 29, 1814, issued a proclamation directing "all the public armed vessels of the United States and all private armed vessels commissioned as privateers or with letters of marque and reprisal not to interrupt, detain, or otherwise molest or vex any vessels whatever belonging to neutral powers or the subjects or citizens thereof, which vessels shall be actually bound and proceeding to any port or place within the jurisdiction of the United States, but on the contrary to render to all such vessels all the aid and kind offices they may need or require."[83]

On the same day Secretary Monroe sent Daschkoff a copy of this proclamation, and said that the President had issued it in order to give "a strong proof of his desire to facilitate the commercial intercourse and cultivate friendship with Russia."[84] On the same day, too, Monroe wrote to the peace envoys, sending them a copy and informing them that the President had been induced to take the action by the complaints made by the Russian minister.[85]

[81] A. Gallatin to Emperor Alexander. June 19, 1814. Writings of Albert Gallatin, vol. 1, pp. 629–631; A. Gallatin to J. Monroe. New York, Nov. 30, 1814. Ibid., pp. 668–669.

[82] A. Daschkoff to J. Monroe. March 7, 1814; same to same. June 26, 1814. Russian Legation, vol. 1. MSS., State Department Archives.

[83] Messages and Papers of the Presidents, vol. 1, pp. 553–554.

[84] J. Monroe to A. Daschkoff. June 29, 1814. Notes to Legations, vol. 1. MS., State Department Archives.

[85] J. Monroe to American Commissioners. June 29, 1814. Instructions, vol. 7. MS., State Department Archives.

The Emperor Alexander, however, showed no further active interest in the peace negotiations between the United States and Great Britain. The Russian project of mediation had turned out to be a bitter disappointment for the American government. Its policy of looking to Russia to protect the interests of the United States had proved a failure. But however much the American government might be disappointed that the Emperor's conduct was so wholly different from what they had expected, it was considered that the best policy was not to take any notice of it. And on August 11, 1814, Monroe sent instructions to this effect to the envoys at Ghent.[86]

[86] Same to same. August 11, 1814. Instructions, vol. 7. MS., State Department Archives.

CHAPTER V.

The Question of Consular Immunity.

Immediately after the signature of the treaty of Ghent John Quincy Adams was transferred from his post of minister to Russia to that of minister to Great Britain. And on February 27, 1815, President Madison nominated to the Russian mission James A. Bayard of Delaware, who had been one of the peace commissioners, whose nomination the Senate at once confirmed.[1] Bayard, however, did not proceed to St. Petersburg, but returned to America on account of his ill health and died the second day after his arrival, August 2, 1815.[2]

In the meanwhile the American mission to St. Petersburg was in the hands of Levett Harris, as *chargé d'affaires*. His relations with the Russian government were of the friendliest character. On January 20, 1815, before the treaty of Ghent had been ratified, Harris confidentially communicated its articles to Privy Councillor de Weydemeyer, who was still in charge of the department of foreign affairs.[3] The Russian government on its side was equally cordial. It offered to obtain through its minister at Constantinople the good offices of the Sultan in securing favorable arrangements for the United States with Algiers.[4] On May 26, 1815, Harris wrote to the secretary of state urging that a minister be appointed, as the disposition of the Russian government toward the United States was so very favorable.[5]

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[1] Senate Executive Journal, vol. 2, pp. 623, 624.

[2] J. Q. Adams, Memoirs, vol. 3, p. 183; H. Adams, History of the United States, vol. 9, p. 89.

[3] L. Harris to Weydemeyer. Jan. 8 (20), 1815. Despatches, Russia, vol. 5, no. 5, inclosure. MS., State Department Archives.

[4] J. Monroe to L. Harris. Dec. 23, 1815, Instructions, vol. 8. MS., State Department Archives.

[5] L. Harris to J. Monroe. May 14 (26), 1815. Despatches, Russia, vol. 5, no. 7. MS., State Department Archives.

In America the relations between the two governments were upon the same friendly footing. On May 6, 1815, Daschkoff intimated in a note to the secretary of state that he had been authorized to make a reciprocity treaty with the United States. By an act of March 3, 1815, Congress had declared that whenever the President should be satisfied that a foreign nation had removed the discriminating duties on American vessels and American goods entering into that country, then he was authorized to remove the discriminating duties on the vessels and goods of that nation entering into the United States.[6] Daschkoff now said that as American vessels and their cargoes were admitted into the ports of Russia on the payment of the same tonnage and other duties as were paid by the subjects of Russia, he requested that the goods and vessels of Russia entering the ports of the United States be placed on the same favorable footing under the act of March 3.[7] Monroe replied, asking him to send him copies of the acts and regulations of his government relating to the subject so that it might be ascertained that they presented a case within the authority given to the executive by that act.[8] But this negotiation went no further, as an accident arose preventing further advances.

Towards the last of November, 1815, Kosloff, the Russian consul-general at Philadelphia, was arrested and thrown into prison on the charge of having committed a rape on a girl of twelve years, who was employed as a servant in his family. The oath was made by the individual alleged to be injured. The penal code of Philadelphia did not allow the magistrate to take bail in such a case. He accordingly committed Kosloff to jail. As Kosloff had been brought before the magistrate at a late hour of the night, he was prevented from having a second examination before a higher

[6] U. S. Statutes at Large, vol. 3, p. 224. 13th Cong., 3d Sess., 1815, chap. 77.

[7] A. Daschkoff to J. Monroe. May 6, 1815. Russian Legation, vol. 1. MS., State Department Archives.

[8] J. Monroe to A. Daschkoff. July 14, 1815. Notes to Legations, vol. 2. MS., State Department Archives.

magistrate until the next day. The next day a writ of habeas corpus was sued for before the chief justice of Pennsylvania to procure his release. In as short a time as possible a hearing took place before the chief justice, who said that the evidence before him was not in itself sufficient to convict the accused, but as the oath of the prosecutrix was positive it was his duty to bind over Kosloff with one security to appear at the next court of oyer and terminer and stand trial before a jury.[9]

Daschkoff, who resided in Philadelphia, at once wrote to Secretary Monroe, protesting against Kosloff's arrest as a breach of international law likely to lead to consequences prejudicial to the interests of the two countries.[10] Two days later he issued a circular to all the foreign ministers resident in the United States, informing them of this event as an abuse of the laws of the United States and as a breach in the law of nations.[11]

This letter of Daschkoff's was not answered by the American government because it was considered that to enter into a discussion on that subject would be to show that the government approved of the arrest.[12] But he was informed that at the instance of the President the United States district attorney for Pennsylvania would be instructed to attend to Kosloff's case "and to see that all the rights which belonged to his character as consul-general by the law of nations should be secured to him."[13]

As an indictment for rape had been found against Kosloff by the grand jury, the case came up for trial in 1816. A

[9] J. Monroe to L. Harris. July 31, 1816. Instructions, vol. 8. MS., State Department Archives.

[10] A. Daschkoff to J. Monroe. Nov. 28, 1815. Russian Legation, vol. 1. MS., State Department Archives.

[11] L. Harris to J. Monroe. March 8 (20), 1816. Despatches, Russia, vol. 5, no. 11, inclosure. This copy sent by Harris was the first the American government knew of such a circular being issued. J. Monroe to Wm. Pinkney. Nov. 12, 1816. Instructions, vol. 8. MSS., State Department Archives.

[12] J. Monroe to Wm. Pinkney. Nov. 12, 1816. Ibid.

[13] J. Monroe to A. Daschkoff. Feb. 3, 1816. Notes to Legations, vol. 2. MS., State Department Archives.

motion was then made by the defense to dismiss the case on the grounds (1) that the privilege of immunity from criminal prosecution was conferred on consuls by the law of nations, (2) that by the Constitution and laws of the United States exclusive jurisdiction in all cases affecting consuls was vested in the courts of the United States. By the unanimous opinion of the two judges upon the bench this motion was granted on the second of these grounds.[14] As rape is an offense of the common law over which the federal courts did not have cognizance, all further proceedings in the case necessarily ceased.[15]

But Daschkoff did not let the affair drop. He now claimed that Kosloff should have an opportunity to clear his character, and to do so he desired that the case be carried before a federal court.[16] This demand was wholly inconsistent with his former one of the privilege of immunity. The American government refused, saying that the Attorney-General, having been asked to give his opinion, had stated that as no act of Congress touched the offense in question, therefore there could be no trial by any tribunal under the federal government. It was pointed out to Daschkoff that Kosloff had an opportunity of clearing himself by prosecuting the party at whose instance he had been arrested, but that he had declined to do so. It was also remarked that had Kosloff not set up his plea of jurisdiction he would have had an opportunity to vindicate himself in the state court.[17]

Daschkoff now took a new course. The arrest and imprisonment of the consul-general was a breach of international law, he claimed, for which the executive of the United

[14] For the opinion of the court, Niles Weekly Register, vol. 12, pp. 139–142.

[15] J. Monroe to L. Harris. July 31, 1816. Instructions, vol. 8. MS., State Department Archives.

[16] A. Daschkoff to J. Monroe. March 4, 1816. Russian Legation, vol. 1. MS., State Department Archives.

[17] J. Monroe to A. Daschkoff. Aug. 16, 1816; J. Monroe to Count Nesselrode. Sept. 12, 1816. Notes to Legations, vol. 2. MSS., State Department Archives.

States was responsible. On August 23, 1816, he wrote to the secretary of state and demanded reparation.[18]

On account of Daschkoff's hostile attitude to the American government, the President considered that the only way to settle this affair was to transfer all further discussion on the subject to St. Petersburg. Daschkoff's letters had been so full of bitter invective against the government that the President determined not to answer this last note of Daschkoff's but to send a reply directly to Count Nesselrode.[19] On September 12, 1816, Monroe wrote to Nesselrode a letter in which he stated the position of the American government, its regret at the affair, the steps it had taken to aid Kosloff at his trial, and the inability of the executive to stop the trial, even supposing the consul-general to be protected by the law of nations.[20] This letter Monroe sent to Daschkoff and requested him to forward it to his government.[21]

But Daschkoff, who desired to extricate the consul-general with honor from the affair and to win *éclat* by obtaining some concession from the American government, returned Monroe's letter to Nesselrode, stating that he considered it improper for him to transmit it to his government.[22] Monroe answered that he would then despatch the letter to St. Petersburg by a special messenger.[23]

On October 31, 1816, Daschkoff wrote to the secretary of state, breaking off diplomatic relations with the United States. He said that when the Emperor had learned of the outrage to which his consul-general had been subjected he

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[18] A. Daschkoff to J. Monroe. Aug. 23, 1816. Russian Legation, vol. 1. MS., State Department Archives.

[19] J. Monroe to Wm. Pinkney. Nov. 12, 1816. Instructions, vol. 8. MS., State Department Archives.

[20] J. Monroe to Count Nesselrode. Sept. 12, 1816. Notes to Legations, vol. 2. MS., State Department Archives.

[21] J. Monroe to A. Daschkoff. Sept. 12, 1816. Ibid.

[22] J. Monroe to L. Harris. Sept. 30, 1816. Instructions, vol. 8; J. Monroe to Wm. Pinkney. Nov. 12, 1816. Ib.; A. Daschkoff to J. Monroe, Sept. 23, 1816. Russian Legation, vol. 1. MSS., State Department Archives.

[23] J. Monroe to A. Daschkoff. Oct. 3, 1816. Notes to Legations, vol. 2. MS., State Department Archives.

had considered that he owed it to his dignity not to receive Harris at his court until the affair had been settled in a complete and satisfactory manner. At the same time the Emperor had prescribed a line of conduct which he (Daschkoff) was to follow in case the American government would not pursue the most equitable principles towards Russia. Now, wrote Daschkoff, as the refusal of the government of the United States to give a just reparation such as the Emperor of Russia had a right to expect and as all its subsequent conduct showed that the American government did not wish to be bound by the law of nations, he, in accordance with the orders of his august master, was going to leave the country where the Imperial agents were unable to obtain the treatment due to those of a sovereign of the first rank, and where the Emperor believed it contrary to his dignity to keep any longer a legation.[24]

To the American government it had not appeared possible that any serious consequences would develop from the Kosloff affair. On December 23, 1815, Monroe in his despatch to Harris sent a copy of the Kosloff proceedings as far as they had then gone and instructed him to assure the Russian government that the rights founded upon the law of nations would in all instances be faithfully observed. So far, indeed, was Monroe from fearing any disagreeable results from the Kosloff episode that he instructed Harris to procure from the Russian ministry the removal of the Russian consul at Boston, who had attempted to conceal and protect from confiscation (on the ground that they belonged to him) British goods captured as prizes in the late war, and whose conduct had also been in many instances disrespectful to the American government.[25] Moreover, on February 28,

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[24] A. Daschkoff to J. Monroe. Oct. 31, 1816. Russian Legation, vol. 1. MS., State Department Archives. Daschkoff did not, however, leave the United States.

[25] J. Monroe to J. Q. Adams. April 26, 1813; same to same. April 27, 1813. Instructions, vol. 7. MSS., State Department Archives; J. Monroe to L. Harris. Dec. 23, 1815. Instructions, vol. 8. MS., State Department Archives.

1816, the President nominated William Pinkney of Maryland to be envoy extraordinary and minister plenipotentiary to Russia.[26]

Before proceeding to St. Petersburg Pinkney was to negotiate with the Neapolitan government for indemnities for spoliations committed on American commerce.[27] He was ordered to terminate his business at Naples as soon as possible and to proceed immediately to St. Petersburg, as it was considered very important that the United States should be represented there by a minister of the highest grade employed by them.[28] But this haste was due to the fact that the United States had delayed so long in sending a minister to Russia, and Pinkney was instructed to explain on his arrival there the causes of this delay. The Kosloff affair as yet appeared very insignificant to Monroe, for he said in Pinkney's instructions that "in looking forward even to a distant period the only circumstance in which a difference of interest is anticipated between the United States and Russia relates to their respective claims on the Pacific Ocean," and that it would be satisfactory to the United States to adopt parallel forty-nine degrees, north latitude, as the boundary between them on the Pacific coast.[29]

The continuance of the friendly relations with Russia was one of the foundations of the American policy at that period. In his despatch to Harris announcing Pinkney's appointment Monroe said that the President attached great importance to the preservation of a perfectly good understanding with Russia, for the commerce between the two nations was active and increasing and deserved every degree of encouragement which could be given it, especially as it was understood to be agreeable to the views of the Emperor to en-

[26] Senate Executive Journal, vol. 3, pp. 32. This nomination the Senate confirmed on March 7, 1816. Ib., p. 35.

[27] Messages and Papers of the Presidents, vol. 1, p. 572.

[28] J. Monroe to Wm. Pinkney. May 11, 1816. Annals of Congress, 15th Cong., 1st Sess., 1818, vol. 2, p. 1850.

[29] J. Monroe to Wm. Pinkney. May 10, 1816. Instructions, vol. 8. MS., State Department Archives.

courage it. From the Emperor's policy in that and other respects much advantage was anticipated through the continuance of a very friendly understanding with him.[30]

In July Monroe received a despatch from Harris announcing that Count Nesselrode had informed him of Kosloff's arrest and imprisonment, and as a consequence that the Emperor had requested that he would not appear at court until reparation had been made by his government. Harris said that as he had had no news of this affair he had tried to excuse the matter by saying that Kosloff's arrest was probably by a state government or an ignorant official.[31]

Immediately Monroe sent Harris a full account of the Kosloff affair and the position taken by the American government, in order that Harris might place the affair before the Russian ministry in its proper light. In this despatch Harris was distinctly informed that the American government held that a consul was not exempt from the laws of the country in which he resided.[32] This despatch was borne by a public messenger or board an American sloop of war.[33]

Shortly after Nesselrode had informed Harris that he was not to appear at court until the Kosloff affair had been settled, Harris drew up a memoir showing how the affair might be excused. This he presented to Nesselrode and asked him to read it, saying that if it contained anything offensive to him he would change it. In reading it Nesselrode became very angry, and with a great deal of temper told Harris that the terms and tone of the note were objectionable, and that anything written on his part which did not contain a reparation of the wrong complained of would only add to the

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[30] J. Monroe to L. Harris. May 21, 1816. Ibid.

[31] L. Harris to J. Monroe. March 8 (20), 1816. Despatches, Russia, vol. 5, no. 11. MS., State Department Archives.

[32] J. Monroe to L. Harris. July 31, 1816. Instructions, vol. 8. MS., State Department Archives.

[33] L. Harris to J. Monroe. Sept. 2 (14), 1816. Despatches, Russia, vol. 5, no. 21; L. Harris to Wm. Pinkney. Sept. 28 (Oct. 10), 1816. Despatches, Russia, vol. 5. MSS., State Department Archives.

irritation already produced, and he advised him to avoid any communication on the matter which was not expressly ordered by the government of the United States.[34]

Great surprise was occasioned in the official circles of St. Petersburg by Harris's exclusion from court. Some of the members of the diplomatic corps desired to express to the ministry their disapproval of such a proceeding, but Harris would not permit them. Although he had not as yet received a line from Monroe on the Kosloff affair, Harris went to see Count Capodistrias, who shared with Nesselrode the management of the Russian foreign office, and after declaring that consuls were subject to the laws of the nations in which they resided, that no representative character was attached to them, and that their sovereigns could not be affected by their acts, he then demanded to be restored to his place in the diplomatic circle. The Count replied that he agreed to a certain extent with Harris's view about consuls, but that the Emperor's anger had been excited by Kosloff's having been arrested and thrown into prison without a trial, and that the Emperor could not revoke the order of exclusion without passing censure upon his own conduct, especially as Harris had received nothing official from his government. Shortly afterwards Harris had an interview with Nesselrode, who informed him that the Emperor had decided not to allow him to return to court until something official had come from the government of the United States. At another interview Nesselrode, after repeating his expressions of the Emperor's friendly disposition towards the United States, said that the silence of the American government to Daschkoff's claims for reparation for the wrong done the consul-general had occasioned some surprise, and that the Emperor had made up his mind as to the steps he would take in the matter, and that the continuance of a diplomatic mission from the Im-

[34] L. Harris to J. Monroe. March 17 (29), 1816. Despatches, Russia, vol. 5, no. 12. MS., State Department Archives.

perial court to the United States would depend solely upon the conduct of the American government.[35]

Monroe's despatch of December 23, 1815, was not received by Harris until June 3, 1816. Glad of the opportunity to make official complaint of the Russian agents in America, Harris at once communicated officially and without reserve to the Russian ministry all the facts relative to the conduct of the Russian consul at Boston, and while he did not expressly desire his removal, his note left no other alternative to the Russian government.[36] To this Nesselrode replied that the Emperor would accord the satisfaction which the American government justly claimed.[37]

The question which troubled the Russian ministry was what kind of reparation was due to the offended dignity of the Emperor for the arrest of his consul. Finally it was suggested to Harris that the proper means would be an official communication from the secretary of state either to Count Nesselrode directly or to Daschkoff, or a letter from the President to the Emperor which should contain the expression of the President's regret at the occurrence at Philadelphia and his sorrow or displeasure at the treatment by the police of that city of the Emperor's agent. In transmitting this intimation to Monroe Harris wrote that such an explanation would end the affair, and he had reason to believe that the present Russian agents in the United States would then all be removed.[38]

Upon the receipt of Monroe's despatch of May 21, 1816, announcing Pinkney's appointment, Harris at once informed Capodistrias of it, and the Kosloff affair was again dis-

[35] L. Harris to J. Monroe. May 19 (31), 1816. Despatches, Russia, vol. 5, no. 13. MS., State Department Archives.

[36] L. Harris to J. Monroe. May 27 (June 8), 1816. Despatches, Russia, vol. 5, no. 14. MS., State Department Archives.

[37] L. Harris to J. Monroe. May 31 (June 12), 1816. Despatches, Russia, vol. 5, no. 15. MS., State Department Archives.

[38] L. Harris to J. Monroe. June 7 (16), 1816. Despatches, Russia, vol. 5, no. 16. MS., State Department Archives.

cussed. The minister expressed his regret at not being able to arrange the matter, but said that the Emperor thought it proper not to receive Harris at court until due explanation of the conduct of the magistrate at Philadelphia had been received, and that if it was proven that there had been no wrong committed, he would make any concession the American government might in such a case claim. The Count then hinted again how the affair might be closed. He said that the punishment of the magistrate would give the Emperor great satisfaction, but he did not make it a condition in the arrangement of the affair. And then, as if considering that some concession was due to the United States, he added that the Emperor had not been well served and that after the termination of the affair he would send new agents there in order to maintain permanently the friendly relations between the two countries.

That this unfortunate consequence of the Kosloff affair was to be of short duration and of little importance was shown by Capodistrias's further communication at this interview. The Count said that he was preparing a communication to make to Harris, which he would have made before had it not been for Daschkoff's despatches on the Kosloff affair. This communication was relative to the Holy Alliance, " with a view to knowing the sentiments of the American government on the subject of it. That if the United States chose to yield their assent to this treaty the Emperor would receive it with deference. That notwithstanding many opinions had gone abroad on the subject of this league, and the motives which led to it had met with severe animadversion, it was not the less a solemn pact founded to preserve the peace of Europe, and that while Russia continued to hold her present power this peace would not be troubled." Harris replied that as Pinkney would soon be there and he would be better informed of the disposition of the government of the United States, he therefore requested

that this communication be put off until his arrival. This Capodistrias agreed to do.[39]

As soon as Harris learned of Pinkney's appointment he wrote to him giving him an account of how the Kosloff affair stood at St. Petersburg, and urged him to come as soon as possible to his post there, in order that the affair might be settled.[40] Pinkney replied from Naples, saying that as he had no instructions to deal with the Kosloff affair, he considered it improper to appear at the Russian court as minister of the United States until he knew with certainty that the difficulty had wholly ceased, or until he had received such instructions as would enable him to remove it or would make it his duty to encounter it. He therefore proposed to send to Harris, by his secretary, all the papers which he had dealing with the affair, and said that when his business at Naples was finished he would follow as far as Berlin and there await developments.[41]

Monroe's letter of July 31, 1816, carried by the American sloop of war, arrived in Russia early in October. Harris immediately presented Nesselrode with a note giving a full account of the Kosloff affair and the position taken by the American government.[42]

This note the Russian government seized upon as opening a way to a settlement of the affair without humiliating the Emperor by rescinding his hasty action. Harris's letter embodied official information from his government, and Capodistrias now told him that there was reason to hope that the affair would be terminated amicably. He said that the Emperor had read attentively Harris's recent notes and the documents which had accompanied them, and that while he would have preferred to wait for further reports from

[39] L. Harris to J. Monroe. July 24 (Aug. 5), 1816. Despatches, Russia, vol. 5, no. 19. MS., State Department Archives.

[40] L. Harris to Wm. Pinkney. July 18 (30), 1816. Despatches, Russia, vol. 5, no. 19, inclosure. MS., State Department Archives.

[41] Wm. Pinkney to L. Harris. Sept. 17, 1816. Despatches, Russia, vol. 6. MS., State Department Archives.

[42] L. Harris to J. Monroe. Oct. 1 (12), 1816. Despatches, Russia, vol. 5, no. 22. MS., State Department Archives.

Daschkoff on the matter, as it was a principle of his never to condemn his agents without a hearing, nevertheless he had instructed him (Capodistrias) to negotiate with Harris a final settlement of the matter. Therefore, in order to carry out the Emperor's orders, the Count said he would send Harris the form of a note to be written by him together with the reply to it from the ministry, which had been prepared in accordance with the Imperial commands, so that an understanding having taken place between them by means of this correspondence, Harris would be immediately restored to his place at court. Harris expressed his regret that any further correspondence was necessary, and said that he thought that in the notes which he had written the conduct of Kosloff appeared so reprehensible that the Emperor would at once acknowledge that no wrong had been done to the honor of Russia. The Count answered that what he had to propose would be founded largely on Harris's last communications, yet in the proposed settlement it was thought proper to add something to meet the views and soothe the feelings of the Emperor. The projects of the final notes would, he said, be sent to Harris the next day, and after Harris had given assent to them they would go again before the Emperor, whose ultimate decision would regulate the close of the affair.

On the next evening, November 5, 1816, the Count sent the projects by his secretary, who was instructed to read them over with Harris and note any remarks which he might make about them. This course Harris objected to, and requested that the projects might be left with him so that he could return them in a few hours with such remarks and changes as he might consider that they required. As the secretary had not been empowered to grant such a request he returned to his chief, who at once authorized him to leave the papers with Harris until the next morning.[48]

[48] L. Harris to J. Monroe. Oct. 31 (Nov. 12), 1816. Despatches, Russia, vol. 5, no. 23. MS., State Department Archives.

These papers consisted of forms of a letter which Harris was to write to the Russian ministry and their reply. According to the project for Harris's letter, he was to state, after declaring the regret of the President at the Kosloff affair, that "it is a fact that if the affair in which the consul-general Kosloff has been involved had been carried before the federal authorities in accordance with the law, it would have taken from the beginning a course more in conformity with the respect which the American government has hastened to testify on this occasion to his Majesty the Emperor of all the Russias." But as if some concession was necessary in order that Harris should agree to it, the project further stated that the consequences arising from this unfortunate affair were partly due to the distance of Daschkoff from the seat of the American government and his unfriendly attitude toward it.[44]

On reading this project Harris was surprised to see that the principles of consular immunities, which he had thought long ago abandoned by the Russian government, were again brought forward. In despair of a successful outcome, he drafted a counter-project by which he hoped to relieve the Emperor of the embarrassment in which he had involved himself, for he now considered that to be the only source of difficulty between the two parties, yet at the same time he endeavored to maintain the correctness of the proceedings of the American government and its doctrine of consular immunities. In his counter-project Harris declared that the course pursued by the American government was the legal and proper one and that none other could or ought to have been taken. He stated: "Greatly deploring the steps taken both by the party and by Mr. Kosloff before a tribunal to which are subject all those who are not personally under the direct protection of the public law, the American government hastened to order the interposition of its attorney for

[44] Projet d'une note de la part du ministère au chargé d'affaires des États-Unis. Oct. 28 (Nov. 5), 1816. Despatches, Russia, vol. 5, no. 23, inclosure 2. MS., State Department Archives.

the state of Pennsylvania in order that the consul of his Imperial Majesty should enjoy all the advantages which it was in the power of the government to procure for him." This Harris considered to be a positive assertion that Kosloff's offense was within the cognizance of the lower court and to explain the motive for the intervention in his behalf.[45]

On the following morning Capodistrias's secretary, acting under the Count's commission, again called upon Harris, and together they read over the two projects. The secretary immediately protested against Harris's changes on the ground that they went to prove the culpability of Kosloff and that that was a point still at issue. Harris replied that it ought no longer to be considered so, for there appeared to him no other mode of coming to an arrangement but by some concession on this point and by yielding entirely the pretension with regard to consular jurisdiction, which he was surprised to see defended in the project. Such a thing, he said, as a code of consular rights was unknown to American jurisprudence, that the American government had already displayed remarkable deference to the Emperor in this transaction, and that nothing more should be required, for it certainly would not be conceded.

On the following day Capodistrias wrote to Harris announcing the acceptance of his counter-project. Harris then called upon the Count and the two notes were exchanged November 8, 1816.[46] Thus terminated the affair in a complete victory for the United States. It was the first time that a diplomatic negotiation had been carried through be-

[45] L. Harris to J. Monroe. Oct. 31 (Nov. 12), 1816. Despatches, Russia, vol. 5, no. 23; Projet d'une note par le chargé d'affaires et agréé par le ministère. Despatches, Russia, vol. 5, no. 23, inclosure 3. MSS., State Department Archives.

[46] L. Harris to J. Monroe. Oct. 31 (Nov. 12), 1816. Despatches, Russia, vol. 5, no. 23. It was not until Oct. 3, 1817, that Daschkoff, writing from Philadelphia, announced to the secretary of state the restoration of diplomatic intercourse between the Russian government and the American *chargé* at St. Petersburg. A. Daschkoff to J. Q. Adams. Oct. 3, 1817. Russian Legation, vol. 1. MSS., State Department Archives.

tween the two countries. The fault had been wholly Russia's. The Emperor had recently adopted a policy hostile to democracy when Daschkoff's violent despatches, containing only the early stages of the Kosloff affair, arrived. Filled with the plans of the Holy Alliance, the Emperor considered that his honor had been attacked and suspended Harris from court. At another time and with another nation such actions as those of the Russian government and of its accredited representative the United States would have considered as a cause of war. But as the war with Great Britain had scarcely terminated the American government could not plunge the country into another conflict. Nevertheless it was determined to maintain firmly the rights of the United States. Anxious as the rulers were to maintain their friendly relations with Russia, they refused to make any concession. Their position in the Kosloff affair was unassailable in international law. This became apparent to the Russian government when the whole of the Kosloff affair was known. An effort was made to save the pride of the Emperor, but even in the very last step Russia yielded in accepting the counter-project of the American *chargé*.

In the settlement of this affair Capodistrias was the moving spirit, although Nesselrode signed the formal notes, as he was the senior secretary. Capodistrias assured Harris that the Emperor would recall his present agents in America and that he was taking steps in the selection of new ones. Still another concession was made to the United States. Capodistrias promised that hereafter the Russian minister in the United States would be compelled to fix his residence at the seat of the American government.[47]

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[47] L. Harris to J. Monroe. Oct. 31 (Nov. 12), 1816. Despatches, Russia, vol. 5, no. 23; same to same. Oct. 31 (Nov. 12), 1816. Despatches, Russia, vol. 5, private. To Daschkoff's absence from the seat of government a large portion of the blame for the Kosloff affair was ascribed by the American government. As a result the American government issued a circular letter compelling the residence of foreign ministers at Washington. Instructions, vol. 8. MSS., State Department Archives.

It was not until December that Monroe's letter to Nesselrode, dated September 12, 1816, which Daschkoff had refused to send, arrived. Harris presented it to Nesselrode with a complaint about Daschkoff's conduct.[48] Had this letter arrived earlier it would doubtless have been considered as fulfilling the Russian demand for reparation. But it came too late for that; the affair had been settled and Harris was restored to his place at court.

The difficulty with the Russian government having been removed, Pinkney arrived in St. Petersburg on January 7, 1817. In arranging for his presentation Harris renewed to Capodistrias the complaints of the American government against Daschkoff. The Count tried to excuse Daschkoff's conduct in regard to Monroe's letter to Nesselrode by saying that it had been sent to him sealed. Harris replied that Daschkoff had made himself so generally objectionable that the American government could no longer continue its intercourse with him. The Count answered that Daschkoff was soon to be recalled and that the Emperor was then engaged in selecting his successor.[49]

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[48] L. Harris to J. Monroe. Dec. 14 (26), 1816. Despatches, Russia, vol. 5, no. 24. MS., State Department Archives.

[49] L. Harris to J. Monroe. Dec. 27 (Jan. 8), 1816 (17). Despatches, Russia, vol. 5, no. 27. MS., State Department Archives.

CHAPTER VI.

Pinkney's Mission.

William Pinkney of Maryland, the new minister to Russia, was a diplomat of considerable experience, having been minister to Great Britain for about five years just previous to the outbreak of the war of 1812. After his experience in England Pinkney did not wish to be dragged into another situation which might involve his country in a war. Fearing that his reception might be such as would widen the breach between the two countries, he decided not to go at once to his post but sent his secretary, William R. King, with all the papers which he had bearing on the Kosloff affair, in the hope that Harris might be able to use them in restoring to their former footing the relations between the two countries. When King arrived at the Russian capital he found that the difficulty had been amicably settled. Thereupon Pinkney proceeded to St. Petersburg.[1]

Nothing could have exceeded the cordiality of Pinkney's reception by Nesselrode and Capodistrias, and when he presented to them Monroe's circular in respect to foreign ministers residing away from the seat of government (which Daschkoff's action had brought out), Capodistrias gave him to understand that the recall of the Russian minister in the United States would not be long delayed.[2] But it was the warmth of the Emperor's reception which impressed Pinkney and caused a great deal of comment in court circles. His first audience with the Emperor was on New Year's day, when his Majesty expressed in the strongest terms his regard for the United States. At the ball that night the

[1] Wm. R. King to J. Monroe. Jan. 29, 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[2] Wm. Pinkney to J. Monroe. Jan. 28 (N. S.), 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

American minister was summoned to the royal circle, where the Empress talked with him for twenty minutes in the presence of eighteen or twenty thousand people, that being the first time a minister of the second class had ever been admitted to the Imperial circle.[3]

A new era had begun in the relations between the United States and Russia. With the end of the war of 1812 the United States were no longer a suppliant nation, Russia no longer assumed a patronizing attitude. What was the cause of this change? of Russia's hint that she desired to see the United States a member of the Holy Alliance? of her speedy withdrawal from her untenable position assumed with regard to the Kosloff affair? of her conciliatory readiness to recall both her minister and consuls in the United States? of her flattering reception to the new American minister? The answer is to be found in the politics of Europe of that time. In almost every direction Russian policy was thwarted by Great Britain. Russia desired to overthrow the Turkish Empire; England and Austria opposed her. Russia intrigued to procure the island of Minorca; England frustrated her plans. Russia proposed that the Holy Alliance should attack and occupy Portugal; England opposed this likewise. Russia instigated Ferdinand VII. of Spain to request the aid of the Holy Alliance against his revolted colonies in South America; England successfully opposed this too.[4] The Czar hoped to create a counterpoise to England's maritime power by favoring some other nation.[5] The war of 1812 had shown that the United States would soon rival Great Britain upon the seas. Trusting in the bitterness caused by this war, the Emperor hoped to secure the United States as his allies and to use them against Great Britain. His policy was very obvious. William R. King, the new secretary of legation, wrote to his govern-

[3] Ib.; L. Harris to J. Monroe. Jan. 7/19, 1817. Despatches, Russia, vol. 5, no. 26. MS., State Department Archives.
[4] Debidour, Histoire Diplomatique de l'Europe, t. 1, pp. 101–110.
[5] Fyffe, History of Modern Europe, vol. 2, p. 81.

ment that English trade with Russia had decreased while that of the United States had increased; that England was jealous of the Czar's military preparations and was ready to block his plans, but as the United States were growing in importance as a naval power the Emperor was favoring them because it was thought that they were likely in the near future to become a rival of England's, and because at the same time from their commercial products they were likely to be beneficial to Russia.[6]

It was February before Pinkney received Monroe's despatch of November 12, 1816, informing him that Daschkoff had broken off relations with the American government. He immediately informed Nesselrode, who declared that he knew nothing about it. Pinkney then entered into an explanation of the position of the United States. He hinted that Daschkoff should be recalled, saying that although Daschkoff had not rendered himself agreeable to the President, the President had no wish for him to lay aside his character as minister as long as the Emperor thought fit to keep him in it. This hint the Count received in a very friendly manner, and officially declared that the Emperor had determined to recall Daschkoff and was now selecting a successor who should be agreeable to the President; that Daschkoff had committed an error in residing away from Washington and thus preventing verbal explanations, and that the Kosloff affair had made no disagreeable impression on the Emperor, who was much disposed to cultivate very friendly relations with America.[7] It was not, however, until May that Nesselrode informed Pinkney by note that Daschkoff had been recalled and that Major-General the Baron de Tuyll had been appointed his successor.[8]

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[6] Wm. R. King to J. Monroe. Jan. 29, 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[7] Wm. Pinkney to J. Monroe. Feb. 16, 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[8] Same to same. May 31 (June 12), 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

Concerning Baron Tuyll, a Hollander by birth, Pinkney could learn nothing but what was favorable.[9] He had an interview with the new minister, who pleased him greatly and whom he characterized as "a dextrous diplomat." Evidently the cause of the Emperor's delay in making the appointment was his desire to make a good selection. Tuyll told Pinkney that the Emperor had commanded that his conduct be most conciliatory and that he do everything to secure the good will of the American people; and, he said, in order that he might so shape his conduct he was going to Munich to see Count Pahlen, the former minister to the United States, before leaving for America.[10]

Pinkney was the bearer of the President's thanks to the Emperor for his offer of mediation during the war between the United States and Great Britain, and also for the offer of his government to use its influence in behalf of the United States with Algiers. But the chief object of his mission was to be the negotiation of a commercial treaty. In his instructions Monroe informed him that "the United States have been desirous from the first appointment of a minister to St. Petersburg to form a commercial treaty with Russia on equal and reciprocal advantages." Should Pinkney find that the Russian government was similarly disposed he was given power for that purpose. The President was willing to form a treaty with Russia on conditions similar to those which had been lately adopted by the United States in a convention with Great Britain.[11] If Pinkney should form such a treaty there was to be in it a definition of neutral rights between the two parties, with the distinct understanding that the reciprocity of the stipulation should in no wise impose any obligation on the neutral party in respect to the

[9] Wm. Pinkney to J. Q. Adams. June 10 (22), 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[10] Same to same. June 6 (18), 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[11] For this treaty, signed July 3, 1815, see Annual Register, 1816, pp. 383–386.

other, that other being belligerent, but should simply consist in this,—that the right should be common to both, to be taken advantage of by each when a change of circumstances permitted it, to be enjoyed together when at peace or by either alone when the other was at war. It was thought that a very just and liberal definition might be entered into respecting blockade, the freedom of the flag to goods contraband of war, trade with enemies' colonies and between them and the parent country, trade from one port of an enemy to another, and visits at sea to merchant vessels by ships of war.[12]

Upon being informed of the new minister's appointment Pinkney now considered that this was his opportunity for making a commercial treaty. And so in June, 1817, he informed Count Nesselrode that as the government of the United States was disposed to enter into commercial arrangements with Russia with a view of enlarging the intercourse between the two nations, he had brought with him a power to propose and to make a treaty, but he had not presented it before as he had heard that the Emperor did not favor such treaties and had resolved to avoid them. Pinkney said that his reason for now broaching the subject was that the Emperor might make the occasion of his sending a new minister to the United States an opportunity for an approach toward a commercial treaty. To this proposal the Count replied that the Emperor was opposed to treaties of commerce, because he considered that they were less necessary now than formerly, that when unnecessary they were hurtful, that Russia was well off without them, and that being bound to grant to England whatever advantages she accorded to other nations, it was scarcely possible for her to make a treaty that would not be troublesome in some of its bearings. Nevertheless Nesselrode inquired upon what terms the United States wished in particular to negotiate a

[12] J. Monroe to Wm. Pickney. May 10, 1816. Instructions, vol. 8. MS., State Department Archives.

treaty of commerce. Pinkney seeing that nothing was to be accomplished answered briefly in generalities.[13]

President Monroe had appointed John Adams to be his secretary of state. Adams, who was then minister to Great Britain, did not enter upon the duties of his new office until September, 1817, and during the interval Richard Rush, the Attorney-General, directed the department of state. On April 21, 1817, Rush wrote to Pinkney that in his letter of instruction he had been informed among other things that "in adjusting the question of territorial limits with the Russian government upon the north Pacific Ocean, the claims of the United States would be satisfied by accepting the 49th degree of latitude as the boundary upon that Ocean." Now, Rush wrote, the President had some reason for believing that the Russian government would be satisfied with the fifty-fifth degree latitude as the boundary, and that Pinkney was to make proper use of that fact in case it should reach him in time.[14]

After Pinkney had received this note he spoke to Nesselrode about the limits of the Russian territory on the northwest coast of America. But as he did not go into details the question as to the parallel of latitude was untouched. This was entirely due to Pinkney. For while there appeared to him to be every disposition on the part of the Russian government to arrange the matter with the United States, he thought that the Emperor would like to have the advantages of Baron Tuyll's inquiries in America before anything was done. This disposition Pinkney encouraged, first, because he had no power to conclude a convention, and second, because he believed that it would be better to have the information as to how the arrangement was to be made obtained in the United States, as at that time the Russian government knew nothing of the subject except what in-

[13] Wm. Pinkney to J. Q. Adams. June 10 (22), 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[14] Richard Rush to Wm. Pinkney. April 21, 1817. Instructions, vol. 8. MS., State Department Archives.

formation it obtained from the Russian-American company, most of whose members resided in St. Petersburg.[15] On August 11, 1817, Pinkney wrote to the state department that he thought the adjustment of the limits upon the Pacific coast would take place in Washington. He then sounded the alarm of Russian encroachment in America. He said that the activity of the Russian government in exploring, colonizing, and consolidating its power in that quarter seemed rather to increase than to diminish.[16] In his efforts to have the Russian government transfer the negotiation of the boundary question to Washington Pinkney was successful. About a month later Nesselrode informed him that Tuyll had been given instructions with regard to a treaty of limits.[17]

The Kosloff affair, which had come near causing a rupture in the relations between the countries, was a question as to the status of consuls. Scarcely had that matter been satisfactorily settled when there arose an affair in Russia in which an American consul claimed special privileges, rights, and immunities, and in this case, which differed, however, in that it was a quarrel between a consul and a fellow-citizen, both domiciled in the same country, the Russian government followed the decision laid down by the American government in the Kosloff affair.

A young American merchant, W. D. Lewis, residing in St. Petersburg, pulled the nose of J. L. Harris, the American consul at that place, and then slapped his face. This took place upon the Imperial Exchange. The matter was purely a personal one and the quarrel had nothing to do with Harris's consular character. Harris brought his dispute before the chief of police, who referred it to Count Nesselrode, as it was not an application for a civil suit, nor an ordinary

[15] Wm. Pinkney to J. Q. Adams. July 5/17, 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[16] Same to same. Aug. 11, 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[17] Wm. Pinkney to J. Q. Adams. Sept. 13/25, 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

appeal to the laws, but, as it appeared to Pinkney, "a sort of official representation founded upon an imaginary consular dignity and prerogatives and looking to an inquiry to be instituted and carried on under the auspices of the Imperial government," with the end in view that Lewis should be punished by being expelled from the country. Nesselrode laid the matter before the Emperor. The Emperor, not wishing to acknowledge so soon that the position of the American government in the Kosloff affair was the right one, declared that Pinkney was the proper person to dispose of this case. When Pinkney was informed of the Emperor's decision he replied that by the laws of the United States he had no power to pass judgment upon the transaction, and that even if he had he would not use it to the prejudice of Lewis without the positive orders of the President, as he thoroughly disapproved of Harris's conduct. Pinkney, however, told Count Nesselrode that he would take a few days to consider what he would do. Even after laying aside his personal prejudices, Pinkney did not see how he could approve of Harris's application without involving himself "in some odious conclusions relating to the status of a consul, conclusions which he had long disapproved of." And so he told the Russian government to hold the case in its present state until the President should be informed of it. In the meanwhile Harris wrote repeatedly to the Russian government urging with increasing zeal his demand that Lewis be punished. Disgusted at Harris's behavior, Nesselrode informed Pinkney that the Emperor had wished at first to refer the quarrel to Pinkney's arbitration, but that his refusal to have anything to do with it and the repetition of Harris's complaints had caused the Emperor to declare that Harris, like all other strangers resident in the Empire, had full liberty to bring the case before competent courts. By this decision the Emperor put an end to Harris's official case and determined that there was no ground for his being regarded in this transaction otherwise than as a private stranger entitled to the municipal justice of the empire, and

that it was proper to refer him at once to such a judicial proceeding as, in that capacity, he could procure.[18]

By this decision the Czar acknowledged that the position taken by the United States in the Kosloff affair with regard to consular rights and immunities was the proper one, yet in offering to let Pinkney judge in the case he proposed to establish what might have turned out to be a dangerous precedent. As for Harris's conduct in the matter it was greatly disapproved of by the President.[19]

About this time the question of the intervention of the Holy Alliance in South American affairs began to assume importance. Pinkney, as he had been instructed to do, tried to obtain the views of the Emperor upon the struggles of the Spanish colonies in South America, but he found that it was utterly impossible to do so. He wrote to his government that some of the members of the diplomatic corps appeared to credit the idea of Russian interposition in the contest, and that it was his opinion that the Emperor would in some way meddle in it.[20] A little later he wrote home that he had heard on very good authority that Lord Cathcart, the British ambassador, had asked the Imperial ministers for an explanation relative to the supposed intention of the Emperor to offer his mediation between Spain and her colonies, and that Nesselrode had replied that there was no truth in such speculations.[21]

It is evident, however, that South America was occupying a prominent place in the counsels of the Czar. Late in November, 1817, it was rumored that Baron Tuyll, whom

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[18] Wm. Pinkney to J. Q. Adams. July 20 (Aug. 1), Aug. 3/15, Aug. 16, Aug. 17/29, 1817, and inclosures. Despatches, Russia, vol. 6. MSS., State Department Archives.

[19] Slip of paper, signed J. M. and fastened to the despatch of Wm. Pinkney to J. Q. Adams. July 20 (Aug. 1), 1817. Despatches, Russia, vol. 6; J. Q. Adams to Wm. Pinkney. Dec. 12, 1817. Instructions, vol. 8, no. 1. MSS., State Department Archives.

[20] Wm. Pinkney to J. Q. Adams. Sept. 13 (25), 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[21] Wm. Pinkney to J. Q. Adams. Sept. 29 (Oct. 11), 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

the Emperor had been so careful to select to send to the United States in order to conciliate the American government after the Kosloff affair, and who had already made his preparations to depart thither, was now to be sent to Brazil, and that Poletica, who could not be compared with him as a diplomat, was to be sent in his stead to the United States.[22] Shortly afterwards these rumors were officially confirmed to Pinkney.[23]

As early as May 2, 1817, Pinkney had requested to be recalled on account of the health of his family and of himself, and also on account of the expense.[24] As the winter advanced Pinkney's health grew worse, and in nearly all of his despatches he requested to be recalled. Therefore the President gave him permission to return home and instructed him, in order that his early departure might not give offense, to inform the Russian government "that his recall was granted solely in consequence of his own solicitations and not from any abatement of the friendly disposition and respect for the Emperor entertained by the government of the United States, and that a successor to him in the legation would be appointed without delay."[25] But before he received this recall Pinkney left St. Petersburg, in February, 1818, as the state of his health compelled him to take advantage of the spring to start for the United States, and because even if he had remained there would have been nothing for him to do, as the court was then at Moscow. And so leaving his son, Charles Pinkney, as provisional *chargé d'affaires,* he set out for home, after informing the ministry that he was going on "a permission or leave of absence." Thus Pinkney terminated his mission without

[22] Wm. Pinkney to J. Q. Adams. Nov. 28 (Dec. 10), 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[23] Same to same. Dec. 21, 1817, postscript to same, Dec. 26, 1817. Despatches, Russia, vol. 6. MSS., State Department Archives.

[24] Same to same. May 2, 1817. Despatches, Russia, vol. 6. MS., State Department Archives.

[25] J. Q. Adams to Wm. Pinkney. Dec. 12, 1817. Instructions, vol. 8, no. 1. MS., State Department Archives.

having accomplished his chief object, the commercial treaty, and yet being greatly impressed by the friendship of the Russian government for the United States, for, as he wrote to Adams, " everything conspires to show that this government respects in a high degree our government and people, and sincerely desires their friendship."[26]

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[26] Wm. Pinkney to J. Q. Adams. Feb. 2/14, 1818. Despatches, Russia, vol. 6. Pinkney's recall did not reach St. Petersburg until May, when Charles Pinkney communicated it to the ministry. C. Pinkney to J. Q. Adams. May 13, 1818. Despatches, Russia, vol. 7.

CHAPTER VII.

Spanish-American Affairs.

Beginning with the year 1818 affairs in America seemed likely to involve the United States with some of the leading European powers. Late in 1817 Gaines had seized Amelia Island, while in the spring of 1818 Jackson marched into the Spanish territory of Florida and took possession of St. Marks and Pensacola.[1] In addition there was a growing popular sentiment in the United States, headed by the speaker of the House, Henry Clay, which demanded the recognition, by the government of the United States, of the independence of the South American colonies of Spain which had revolted and declared themselves republics. By what was termed the Holy Alliance the three courts of Russia, Austria, and Prussia considered themselves as the constituted guardians to maintain the peace of Europe and to interfere with all liberal tendencies, since they might endanger the public security.[2] The Emperor Alexander of Russia took a deep interest in the subjugation of the revolted Spanish colonies and was eager to use the Holy Alliance in reducing them to subjection.[3] The American government had reason to be alarmed. Pinkney's despatches from St. Petersburg gave the warning that some sort of mediation was considered by the Russian government. On January 12, 1818, Hyde de Neuville, the French minister at Washington, told Secretary Adams that the Duke de Richelieu had written him that there was a project of a convention about South American affairs on foot in Europe.[4] Later, on May 1, 1818, Correa, the Portuguese minister, hinted to Adams that the

[1] Schouler, History of the United States, vol. 3, pp. 59–65.
[2] Snow, Subjects and Topics in American Diplomacy, pp. 231–239.
[3] Fyffe, Modern Europe, vol. 2, p. 171; Debidour, Historie de l'Europe, t. 1, p. 109.
[4] J. Q. Adams, Memoirs, vol. 4, p. 40.

European Alliance had determined to take the part of Spain against the South Americans, and that Russia was to have some great stronghold on the American continent.[5] From Erving, the American minister at Madrid, was received a copy of the instructions of the Emperor of Russia to his ministers at the allied courts, in which it was stated that he wished that the revolted colonies be restored to Spain, and that the agreement of the allied powers on this point be published to produce a moral effect on the colonies, with an intimation of the application of force should it be necessary.[6] If such a policy be carried out it would greatly affect the United States, especially in putting an end to the negotiations, then in progress, for the purchase of Florida from Spain. And yet notwithstanding the fact that the United States would be so vitally concerned, the American government was almost wholly ignorant of the course which the European powers would pursue in regard to Spain's troubles with her American possessions.[7]

Such was the condition of affairs upon Pinkney's retirement. For the mission to St. Petersburg, which might become the center of negotiations of the greatest significance, President Monroe appointed George W. Campbell of Tennessee.[8]

In his instructions to the new minister Secretary Adams clearly stated the light in which the situation was viewed

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[5] Ib., p. 86.

[6] James Monroe to James Madison. April 28, 1818. Writings of James Monroe, vol. 6, pp. 149–150.

[7] J. Q. Adams to G. W. Campbell. June 28, 1818. Instructions, vol. 8. MS., State Department Archives.

[8] J. Q. Adams, Memoirs, vol. 4, p. 78. Monroe had first considered Campbell, Gallatin's successor in the treasury and at that time a senator from Tennessee, but as Adams opposed this choice the President offered the mission to William Lowndes, the chairman of the committee of ways and means in the house, who declined it. Adams then withdrew his objection and Monroe offered the place to Campbell, who accepted it. On April 13, 1818, Monroe sent Campbell's name to the Senate as envoy extraordinary and minister plenipotentiary to Russia, and the nomination was confirmed that day. Ib., pp. 76, 77, 78; Senate Executive Journal, vol. 3, p. 133.

by the administration and the policy which was to be followed at this juncture. He wrote Campbell that it was from Russia and Great Britain that trouble was likely to come. He said that the Emperor of Russia sided with Spain against the aggressions of Portugal and, as the restorer of what he called legitimate authority, seemed to have taken the same bias against the revolted colonies. England, on the other hand, was no party to the Holy Alliance, but she was a member, and perhaps the most powerful and effective member, of the European concert. The revolution in South America had opened a new world to the commerce of England which a restoration of Spanish colonial dominion would close against her. Her cabinet had therefore accepted a compromise by which the political supremacy of Spain should be restored, but under which the Spanish colonies were to enjoy commercial freedom with the rest of the world.

Of the correspondence between the European allies on this subject the American government had seen only a memoir of the Russian cabinet, dated November, 1817, the general import of which showed the design of restoring the entire authority of Spain by effecting a compromise between Spain and Portugal, and then, by their coöperation, reducing South America to submission. This isolation of America in the affairs which lay at her very doors must have been keenly and suspiciously felt, for, continued Adams, "It is remarkable that the European allies have hitherto withheld from the government of the United States all their proceedings on this intended mediation between Spain and her colonies." Therefore he instructed Campbell to find out what had been agreed upon at the last conference of sovereigns, and to inform the Russian ministry that the policy of the United States, like that of the European powers, had been neutrality between Spain and her colonies, and that the United States earnestly wished to pursue a course for the future in harmony with that of the allies, "but that we will not participate in, and can not approve of any interposition of the

other powers unless it be to promote the total independence, political and commercial, of the colonies."[9]

To negotiate a treaty of commerce had been a leading feature in the instructions to the previous ministers to Russia. This policy, pursued from the time of Dana, was now to be abandoned. Adams, doubtless having in mind his own two failures, informed Campbell that it appeared from the coolness with which the overtures of the United States for the negotiation of a commercial treaty with Russia had been received on three different occasions that there was a reluctance on the part of the Emperor to enter upon any such negotiations. There was now no inducement, Adams wrote, for the United States to repeat these overtures again, for there were no preferences granted in Russian ports from which Americans were excluded, . . . "and that all the benefits which could be obtained on either side by the most amicable treaty of commerce are in fact enjoyed by their citizens and subjects respectively under the municipal regulations of the two countries. We have therefore no reason to regret the aversion of the Emperor to the shackles of a commercial treaty, as the same disposition which deters him from entering into such engagements with the United States, will guard him from yielding any concession to other nations prejudicial to them."[10]

The third topic in Campbell's instructions was the northwest coast of America. The negotiations as to the limits of Russia's claims there were still pending. But Russia was not to be feared in that quarter, Adams seemed to think, for the Emperor Alexander had never shown any desire for a naval power, and this was demonstrated by the sale of his battle ships to Spain, while his preponderance in European politics had given him little leisure to think of a navy, and without a navy commerce and shipping decline.

[9] J. Q. Adams to G. W. Campbell. June 28, 1818. Instructions, vol. 8. MS., State Department Archives.

[10] J. Q. Adams to G. W. Campbell. June 28, 1818. Instructions, vol. 8. MS., State Department Archives.

"It may be proper to observe attentively the movements of Russia with regard to their settlements on the northwest coast, but they can never form a subject of serious difference or jarring interest between that empire and the United States," wrote Adams. It was with Great Britain that Adams feared that the northwest coast would probably be a cause of trouble for the United States, owing to a settlement made at the mouth of the Columbia River during the war of 1812. He informed Campbell that the English cabinet had proposed that this question and that of the slaves carried away by British officers in the late war be referred to commissioners or, if they could not agree, to some friendly power. In case of some one of the commissioners of the treaty of Ghent disagreeing, the American minister in England had been instructed to propose the Emperor of Russia as umpire. "Under these circumstances not only the views of the Russian government with reference to their own settlements on the northwest coast acquire additional interest, but the whole system of Russian policy, as it bears on her relations with Great Britain, with the European alliance, with Spain and the South American affairs may acquire the most steady and attentive observation, as it may link itself with objects of importance to the interests and welfare of the United States."[11]

What the congress of the allied sovereigns which was to meet at Aix-la-Chapelle, in November, 1818, would decide with regard to South America, and the extent to which Jackson's seizure of Pensacola might involve the United States, were sources of great uneasiness to Monroe and his cabinet.[12] As was shown in Campbell's instructions England and Russia were considered as the two powers which would control the European alliance. Instructions had already been sent to Rush, the American minister to Great Britain,

[11] J. Q. Adams to G. W. Campbell. June 28, 1818. Instructions, vol. 8. MS., State Department Archives.

[12] J. Monroe to A. Jackson. July 19, 1818. Writings of James Monroe, vol. 6, p. 60; J. Q. Adams, Memoirs, vol. 4, pp. 113, 117, 118.

to ascertain the intentions of the European concert should the Spanish South American colonies be recognized by the United States.[13] And in August Secretary Adams wrote to Campbell, asking him what part he thought the Russian government would take in regard to the dispute between Spain and her colonies, and in what light they would view an acknowledgment of the independence of the colonies by the United States, whether they would consider it as an act of hostility to Spain, and in case Spain should declare war against the United States in consequence, whether Russia would take part in it with her.[14]

The information received through Rush was of a reassuring nature. Castlereagh informed him, on July 16, 1818, that no plan with regard to South America had been matured as yet.[15] Shortly afterwards Rush had met Poletica, the newly appointed Russian minister to the United States, who assured him of the friendly dispositions which he should carry to America by command of the Emperor. Rush likewise learned, but not from Poletica, that his instructions related in part to the United States joining the Holy Alliance.[16] In addition, the American ministers at London and at Paris were respectively informed by the premiers of Great Britain and of France that their governments could not well move in the affair of the Spanish colonies without the United States. By this President Monroe understood that the European nations would take no move against them, and so wrote to Jefferson and Madison that "our attitude with the allies in regard to South America is as favorable as it well can be."[17] From Aix-la-Chapelle came the news that the congress had refused to take up the mediation project,

[13] Snow, Treaties and Topics in American Diplomacy, p. 258.
[14] J. Q. Adams to G. W. Campbell. Aug. 20, 1818. Instructions, vol. 8, no. 1. MS., State Department Archives.
[15] Snow, Treaties and Topics in American Diplomacy, p. 258.
[16] Rush, Memoranda of a Residence at the Court of London, pp. 319–320.
[17] J. Monroe to J. Madison. November 23, 1818. Writings of James Monroe, vol. 6, pp. 83–84.

and upon these grounds Adams told the English minister at Washington that he concluded that it was or would soon be dropped.[18]

But the news which came later from Russia was not so favorable. Campbell had arrived in Russia in September, 1818.[19] In reply to Adams's despatch, asking his opinion as to Russia's views on the recognition of the Spanish colonies by the United States, Campbell wrote that the Emperor of Russia would probably view in an unfavorable light an acknowledgment of the independence of the Spanish South American colonies by the American government, that he would be inclined to induce the allied powers to intervene if there was a prospect of success, in order to prevent the establishment of such extensive independent states and the consequent spread of republican principles, but that in case of a war he independently would unite with Spain against the United States.[20]

After Campbell had had his first interview with the Emperor, he again wrote home that Russia would view in an unfavorable light the recognition by the United States of the independence of the Spanish colonies, and that she would side with Spain in case of a war. This, he said, was his own opinion, as the Imperial ministers did not feel at liberty to speak freely on matters of state, as they had little influence and no power in the management of public affairs.[21]

Although Adams had informed Campbell that the Russian settlements on the northwest coast of America could never "form a subject of serious difference or jarring interest" between Russia and the United States, some news on this subject arrived in Washington about the time of the signing of the Florida treaty which probably increased the uneasi-

[18] J. Q. Adams, Memoirs, vol. 4, p. 186.

[19] G. W. Campbell to J. Q. Adams. Sept. 25 (Oct. 7), 1818. Despatches, Russia, vol. 7, no. 1. MS., State Department Archives.

[20] G. W. Campbell to J. Q. Adams. Dec. 10/22, 1818. Despatches, Russia, vol. 7, no. 3. MS., State Department Archives.

[21] Same to same. Feb. 6/18, 1819. Despatches, Russia, vol. 7, no. 5. MS., State Department Archives.

ness as to Russia's American policy. On November 11, 1818, J. H. Prevost, an agent of the state department, wrote to Secretary Adams, from Monterey in California, that until 1816 the settlements of Russia did not reach south of the fifty-fifth degree and were of no importance, although dignified by the title of Russian America. But at the beginning of 1816 two distant establishments had been made, of a different and more imposing character, the first at Atooi, one of the Sandwich Islands, and the other in California, within a few leagues of San Francisco, the most northerly possession of Spain in latitude thirty-seven degrees, fifty-six minutes. It appeared likely, the agent wrote, that Russia would early take possession of the harbor of San Francisco and ultimately of California.[22]

How large a place expansion on the American continents occupied in the Russian foreign policy Adams was not able to find out from the Russian minister in the United States. For although Adams had assumed control of the department of state on September 20, 1817, it was not until January 1, 1819, that Daschkoff, the Russian minister, called on him.[23] On January 25 Daschkoff told Adams that he had at last received his letters of recall, but that as his successor, Poletica, was expected to arrive shortly he would not deliver them until Poletica could at the same time deliver his credentials, so that there might not be any interval of time during which his sovereign would not be represented.[24]

Daschkoff, however, did not wait for Poletica's arrival. On March 6, 1819, he took leave of the President, saying, with great awkwardness and evident mortification, that he was commanded to express the continuance of the friendly sentiments of his sovereign towards the United States, and stating his own high respect for the character and institutions of the American nation, his personal regard for the President,

[22] J. H. Prevost to J. Q. Adams. Nov. 11, 1818. American State Papers, For. Rel., vol. 4, pp. 854–855.
[23] J. Q. Adams, Memoirs, vol. 4, p. 203.
[24] Ib., pp. 231–232.

and his grateful remembrance of the kindness shown him. In view of the uncertainty of Russia's position in regard to affairs in which the United States were so closely concerned, the President gave Daschkoff, who had nearly caused a crisis between the two countries, a very kind dismissal which he little deserved.[25]

Although Pinkney had been informed of Poletica's appointment in December, 1817, it was not until April, 1819, that the new minister arrived in the United States.[26] It seems strange that his arrival should have been so long delayed. True, Russia was not unrepresented in the United States, but it had been so clearly shown to the Russian government that as Daschkoff was *persona non grata* to that of the United States and there was so little intercourse between him and it, Russia was almost the same as not represented, and one of the chief reasons for the appointment of a new minister was to express Russia's disapproval of Daschkoff's conduct. Immediately upon his arrival in Washington Poletica proceeded to cultivate the most intimate relations with the secretary of state.[27] He informed Adams that he had no matters with which to trouble the American government, but that he was charged with the most cordial and earnest assurances of the Emperor's regard and friendship for the United States, and that the Emperor was extremely solicitous to be on the best terms with them.[28]

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[25] J. Q. Adams, Memoirs, vol. 4, pp. 285–286. The President told Daschkoff that the government of the United States wished that he might be received with acceptance by his sovereign and that they would learn with pleasure anything that might contribute to his welfare hereafter. On June 3, 1819, Adams instructed Campbell to inform the Emperor of the President's good will towards Daschkoff, "in order that it may be known that he does not harbor any resentment against him." Ib., J. Q. Adams to G. W. Campbell. June 3, 1819. Instructions, vol. 8, no. 3. MS., State Department Archives.

[26] P. de Poletica to J. Q. Adams. April 27, 1819. Russian Legation, vol. 1. MS., State Department Archives.

[27] J. Q. Adams, Memoirs, vol. 4, p. 370. Poletica arrived in Washington May 24, 1819.

[28] Ib., p. 371.

Poletica at once entered into the question of the relations of the United States and Spain. Two days after his arrival he asked Adams for information to send to his government about the treaty of February 22, 1819, between the United States and Spain, which he considered satisfactory and advantageous to both countries. He said that as he had been instructed to promote to the utmost of his power a friendly arrangement of the differences between the United States and Spain, he wished to be informed about the question of the grants of land in Florida by the king of Spain, upon which there had been an explanation given subsequently to the signature of the treaty. Adams then explained to him the trouble which had arisen with regard to the eighth article of the treaty, declaring that the treaty was highly advantageous to both parties, and that he considered it of especial importance because it tended to confirm the tranquillity of all Europe, as it was impossible that things should remain in the state in which they had been between the United States and Spain. The treaty or a rupture, he said, were the only alternatives, and if a rupture ensued all Europe would be drawn into the quarrel. In this Poletica agreed.[29]

Two days later Poletica made inquiries of Adams as to the relations of the United States with Great Britain. He wanted to know what explanations had taken place between the American government and that of Great Britain concerning the execution of Arbuthnot and Ambrister. While not favorably prepossessed with Poletica, Adams thought it a good and safe policy to attempt to win him by kindness, and he considered that confidence judiciously and cautiously given was one of the most powerful and efficacious instruments of diplomacy. Adams therefore told Poletica all that had taken place between the American and British governments with regard to the execution of the two Englishmen

[29] J. Q. Adams, Memoirs, vol. 4, pp. 373–374.

by Jackson, up to the last declaration of Castlereagh to Rush that the British cabinet, after full consideration, had determined to make no complaint to the American government upon the subject. Adams also allowed Poletica to take home to copy one of the original copies of the Florida treaty. In showing the Russian minister this unusual mark of confidence Adams had in view its effect, not only upon Poletica, but still more upon the Emperor. For as the Emperor took such a deep interest in the relations between the United States and Spain, Adams wished to satisfy him of the fairness and justice of the proceedings of the American government, so that if Spain refused the ratification of the treaty the blame would be upon her.[80]

On the next day Poletica confidentially communicated to Adams that portion of his instructions which related to the affairs of the United States and Spain. According to these instructions Poletica was charged by all means in his power to bring about an amicable adjustment of the differences between those two countries, but no opinion was given of the merits of the controversy. If upon his arrival the American government had not already yielded to the popular demand and recognized the independence of some of the South American colonies, he was to use every effort, with all suitable deference to the American government, to dissuade them from such an act of hostility to Spain, Russia's ally. He was also instructed to use his powers of persuasion to prevent the government of the United States from associating themselves with the European alliance and to urge them to pursue a course of policy in harmony with its wishes, hinting that a contrary course could not be carried into effect, and that the United States, whether willing or not, must follow the policy of combined Europe.

Adams assured Poletica that it was the earnest desire of the American government not to be associated with the

[80] J. Q. Adams, Memoirs, vol. 4, pp. 376–377.

European alliance but to follow a policy entirely in unison with it, and that they were deeply impressed with the importance of preserving the general tranquillity of the world; but that it was his (Adams's) private opinion that if the king of Spain should decline or delay the ratification of the treaty, Congress would at its next session authorize the occupation of the Floridas, and probably there would be a recognition of at least the government of Buenos Ayres. Adams then related to him what had been done by the American government concerning the South American question, and told Poletica that, while the administration was convinced that Buenos Ayres at least would maintain its independence of Spain, and that sooner or later it would be recognized as an independent power when it had learned that the allies had determined not to use force against the South Americans, the President had concluded that they might also forbear to take an immediate decisive part in their favor.

Poletica answered that he did not agree with Adams as to the ability of Buenos Ayres to maintain her independence. However, he declared in the most positive and solemn manner that the Emperor was utterly averse to all exclusive or partial alliances, that Russia had therefore no special or particularly intimate connection with Spain, and that by the sale of her squadron to Spain she did not intend to side with her in the quarrel with her colonies.[81]

Adams did not put much faith in these avowals of Poletica's. In informing Campbell of this interview he wrote that by the sale of a whole squadron of ships of war and by sending them, during the war, fully armed to the ports of Spain, the Russian government had shown an interest in behalf of Spain which could not be reconciled with a very strict neutrality. It was also understood that at the congress of Aix-la-Chapelle the disposition of Russia against the

[81] J. Q. Adams, Memoirs, vol. 4, pp. 379–381; J. Q. Adams to G. W. Campbell. June 3, 1819. Instructions, vol. 8, no. 3. MS., State Department Archives.

colonies and in favor of Spain was more strongly marked than that of any other of the powers.[32]

Poletica's inquiries about the relations between the United States and Great Britain had not escaped Adams's notice, and on June 5, 1819, his motive for making these inquiries was shown. On that day Poletica brought up the subject of Castlereagh's proposal of the right of mutual search for the suppression of the slave trade, and said that it had been resisted by the Russian ministers. Upon Adams's expressing his approval of Russia's course Poletica replied that Russia was not disposed to indulge Great Britain in her encroachments upon maritime law, and that even at Vienna England had made a jealous alliance with Austria against Russia, whom she considered as the preponderating power in Europe and as having taken the place of France. At Aix-la-Chapelle, he said, England and Austria had drawn even Prussia into their system, and every day as long as the congress lasted the Russian ministers, on arriving at the conferences, invariably found England, Austria and Prussia arranged in opposition against them.[33]

Great Britain had been successful in opposing Russia's policy in regard to the subjugation of Spain's revolted colonies. While not yet ready to recognize their independence, she did not wish, for commercial reasons, to see them again completely subjected to Spain. In this affair the United States had a decisive voice and Russia recognized the fact. Russia aimed, therefore, not only to prevent an understanding between the United States and Great Britain on the South American question, but to get the United States to follow her lead in the matter. To accomplish this she counted on the hostility of the United States towards Great Britain. Poletica, finding that the Ambrister affair had been amicably settled, endeavored to stir up the old question of British encroachment upon maritime rights. But he was

[32] J. Q. Adams to G. W. Campbell. June 3, 1819. Instructions, vol. 8, no. 3. MS., State Department Archives.
[33] Ib.; J. Q. Adams, Memoirs, vol. 4, p. 390.

unable to make any impression upon Adams. It was necessary, therefore, to adopt new tactics if the acquiescence of the United States in Russia's American policy was to be secured.

On May 29 Poletica had informed Adams that it was a part of his instructions to dissuade the United States from associating themselves with the European alliance. Finding that the United States were on friendly terms with Great Britain, Russia's rival, and that it was exceedingly probable that they would recognize sooner or later the independence of the revolted colonies of Spain, Russia's ally, Poletica, on June 17, 1819, made a diametrically opposite proposal. He told Adams that the Emperor was earnestly desirous that the United States should accede to the Holy Alliance. He said that he mentioned it now unofficially and confidentially in order that it might be communicated to the President, and that if on consideration of the subject it should be concluded that on account of popular prejudice against this compact it would probably not be agreed to, Adams might in a friendly manner let him know and he would avoid making an official proposal of it. Adams replied that he supposed Poletica knew the reason why Great Britain had declined joining that alliance, and in the United States the executive power was still more restricted than in England. No treaty could be concluded except with the concurrence of two thirds of the members of the Senate, before whom it must be laid. Poletica said that he was perfectly willing that it should be submitted to the Senate, as this compact did not bind the parties to any specific engagement but was a mere pledge of principles. It was a league of peace, he said, and had hitherto preserved a universal peace in Europe. The Emperor wished the United States to become a party to it because in that case, if they had any little points of difference with European powers, with Great Britain for instance, he could interpose his influence in their favor. Adams replied that at all events it would

be desirable to find out what were the dispositions of the members of the Senate before laying the treaty before them. To this reply, which Adams made in order not to commit himself, Poletica agreed.[34]

To prevent an understanding between the United States and Great Britain, especially an understanding which should recognize the independence of the Spanish-American colonies, was Russia's object. Poletica had skillfully timed his proposal. The Spanish government had now refused to ratify the Florida treaty, thus tying the hands of the American government as far as the South American question was concerned. This delay in the ratification was thought to be due to the influence of Great Britain, while there were also alarming apprehensions in America that Great Britain was desirous of obtaining Cuba.[35] On August 3, 1819, Poletica expressed to Adams his regret that he had not arrived in Washington in time to give Forsyth, the new American minister to Spain, a letter to Tatischeff, the Russian minister at Madrid, who had much influence there and who, if for no other reason than his hatred of the English, would use every effort to bring about the ratification of the Florida treaty. He again intimated to Adams the wish that the United States should accede to the Holy Alliance.[36] "It was intimated that if any question should arise between the United States and the governments of Europe, the Emperor Alexander, desirous of using his influence in their favor, would have a substantial motive and justification for interposing, if he could regard them as his allies, which, as parties to the Holy Alliance, he would." No direct refusal to this offer was given. It was not considered necessary, as Poletica's instructions were not to make the proposal in form unless with a prospect that it would be successful.[37]

[34] J. Q. Adams, Memoirs, vol. 4, p. 394–395.
[35] Latané, Diplomatic Relations of the United States and Spanish America, pp. 91–93.
[36] J. Q. Adams, Memoirs, vol. 4, p. 404.
[37] J. Q. Adams to H. Middleton. July 5, 1820. Instructions, vol. 9. MS., State Department Archives.

Great Britain disavowed having interfered with the ratification of the Florida treaty.[38] As an earnest of good faith, the British minister at Madrid asked Forsyth to permit him to obtain the influence of Tatischeff in clearing up the difficulties which prevented the ratification of the treaty. Forsyth considered that he himself had better see Tatischeff personally about it. The Russian minister was very friendly, but the Russian policy was most evident when shortly afterwards he informed Forsyth that if he would give assurances that there would be no recognition of the South American governments the treaty would be ratified. Forsyth replied that in that case there would be no ratification.[39]

In St. Petersburg the critical situation of the relations of the United States with Spain excited no ordinary interest, as it presented the prospect of kindling the flames of a war which might involve consequences difficult at that time to regulate. Considerable anxiety, therefore, prevailed on the part of the Russian government, as well as on that of the official agents of others there, to obtain correct information on that subject.[40]

Count Nesselrode questioned Campbell closely about Spain's action in regard to the Florida treaty. Campbell was very circumspect in his answers. He dwelt only on the subject of the land-grants as the cause of the Spanish king's refusal to ratify. Nesselrode deplored Spain's conduct in this affair and emphasized the importance of preserving peace in the world. He requested Campbell to inform him as soon as he got any information from his government as to what course it was likely to adopt. To Campbell it appeared from Nesselrode's manner, as well as from what he said, that "he felt a degree of chagrin as well as regret at

[38] J. Monroe to T. Jefferson. Oct. 5, 1819. Writings of James Monroe, vol. 6, pp. 102–104; G. W. Campbell to J. Q. Adams. Sept. 24 (Oct. 6), 1819. Despatches, Russia, vol. 7, no. 14. MS., State Department Archives.

[39] John Forsyth to J. Q. Adams. Aug. 22, 1819. Annals of Congress, 16th Cong., 2d Sess., 1820–1821, p. 1366.

[40] G. W. Campbell to J. Q. Adams. Nov. 16/28, 1819. Despatches, Russia, vol. 7, no. 17. MS., State Department Archives.

the conduct of Spain on this occasion not unaccompanied with some anxiety for the consequences that may result therefrom."

At this same interview Campbell, doubtless perceiving that there might be some connection between Russia's interest in South America and her expansion on the northern continent, took occasion to inquire how the Russian colonies on the northwest coast of America succeeded, whether they embraced a great extent of the coast and if they were becoming numerous, etc. Now by the Florida treaty the boundary between Spain and the United States on the Pacific coast was defined, and so Nesselrode, while very polite, was not very explicit on the subject of the Russian colonies in that region. He replied by remarking that he believed that the United States had colonies somewhere in that quarter, and that Russia too had some settlements there near the river Columbia, he thought, or perhaps it was farther south in the Gulf of California, respecting which they were then in negotiation with Spain, who had set up some claim to the same territory.[41]

In December, 1819, Campbell explained to Nesselrode the policy which the American government proposed to follow with regard to Florida. He told the Count that he had been instructed to inform the Russian government that the United States did not wish nor intend to disturb the peace of Europe, that as a proof of this disposition the President had determined that if the king of Spain should ratify the Florida treaty in time for it to reach Washington before the meeting of Congress in December, 1819, though this would be subsequent to the date therein specified, he would still receive such a ratification. But should this not be done the possession of Pensacola and St. Augustine would be demanded as security for the claims of five millions of dollars due to citizens of the United States, and if peaceable possession of

[41] G. W. Campbell to J. Q. Adams. Oct. 20 (Nov. 1), 1819. Despatches, Russia, vol. 7, no. 16. MS., State Department Archives.

these places was given the further indemnities from Spain arising from her refusal to ratify the treaty would be reserved for future amicable negotiation. And as an additional proof of the friendly disposition of the United States, they would not withdraw their minister at Madrid notwithstanding the non-ratification.[42]

In America Poletica still persisted in his attempts to win over the American government. On November 17, 1819, he called upon Adams in reference to some despatches which he asked Adams to forward for him. He complained, as he had many times before, that he could send nothing by way of England, because the British government opened all the letters written by Russian ministers which came into its hands. The subject of South American affairs was then brought up. Adams, who had clearly seen that the aim of the Russian minister was to enlist the United States against Great Britain, now undertook to enlighten him on the American policy. He began by informing him that about a year previous a proposition had been made by the American government to that of Great Britain for an acknowledgment, in concert, of the government of Buenos Ayres. Adams then stated the principles upon which it had been made, and said that the only reason why it was not made at the same time to the Emperor was because it was supposed that the proposition would have been neither acceptable nor agreeable to him; and that it was made to Great Britain alone, not for the purpose of a partial concert with her but of a general concert of all the great European powers with the United States. Adams said that if Poletica had been there at the time when the proposal was made to Great Britain he would have discussed it as fully with him as he had done with the French minister. But Daschkoff, the Russian minister at that time, was not in Washington, and the relation in which he stood to the American government was such

[42] G. W. Campbell to J. Q. Adams. Dec. 10 (22), 1819. Despatches, Russia, vol. 7, no. 18. MS., State Department Archives.

that if he had been he could not have communicated with him freely. Adams and Poletica then had a long discussion upon the propriety and expediency of the recognition of the South American governments in which Adams urged all the reasons in its favor and Poletica all those against it, though he strenuously denied that Russia had any leaning in the case either against the South Americans or in favor of Spain. Adams hinted to him that after a reasonable time, if the great powers of Europe should continue to decline the acknowledgment in concert with the United States, they would perhaps adopt the measure themselves.[43]

Alarmed at the information that the United States looked to Great Britain for an arrangement to settle the South American question, Poletica, on November 24, 1819, read to Adams his private instructions written by Capodistrias. In these instructions it was stated that, as the United States sympathized with the South Americans, it was probable that an alliance might be made between the United States and Portugal in joint league with the South Americans against Spain. It was to be observed that the United States formed no part of the European alliance and that, having a distinct system of policy of their own, they never manifested a desire to become members of the Holy Alliance, without which the Emperor could not have the same motive for taking a particular interest in their relations with the other European powers. In case the United States should enter into a league with Portugal and the South Americans against Spain, the American government might want to know: (1) Whether Russia had any engagement or special alliance with Spain; (2) what the policy of Russia would be in regard to the acknowledgment of the independence of the South American colonies if the projected mediation of the European allies between Spain and the colonies should fail, and (3) whether Russia would take part with Spain in the war, if the United States should acknowledge the independence of

[43] J. Q. Adams, Memoirs, vol. 4, p. 445.

the South Americans and a war between them and Spain should result. To these questions Poletica was instructed to answer:

(1) That Russia had no special engagements of any kind with Spain, and that all special and partial leagues were entirely adverse to the whole system of the Emperor's policy; (2) that if the mediation of the allies between Spain and her South American colonies should entirely fail, the subsequent course of Russia would be regulated by the course of events; (3) that as the great and paramount object of the Emperor's anxiety was the maintenance and preservation of the general peace and to secure to the world a long period of the repose which it so much needed, he would see therefore with peculiar concern the breaking out of any quarrel, which from the existing state of Europe there was so much reason to fear would terminate not otherwise than by a general war.

This was very indefinite information as to the Emperor's future policy, but it stated clearly that the intervention of the European allies in Spain's colonial troubles was seriously considered. This paper, Poletica said, he read to Adams in conformity with its spirit and in return for the confidence which Adams had shown him by his late communications, so that Adams could see in it the reason for the Emperor's wish that the United States should become a member of the Holy Alliance.[44]

In spite of Poletica's protestations of the friendship of Russia he had not been able to persuade Adams as to the position of his government. Early in December, 1819, it was proposed to mention in the President's message the friendly interest of Great Britain towards the ratification of the Florida treaty. The President asked Adams what might be said of Russia in that connection. Adams replied that he had nothing positive directly from that government; Poletica had professed perfectly friendly dispositions and

[44] J. Q. Adams, Memoirs, vol. 4, pp. 446–447.

the Russian ambassador at Paris had done the same, but it was reported that Tatischeff's conduct at Madrid had not been equally friendly. Monroe then asked Adams to ascertain from Poletica whether a paragraph announcing the friendly disposition of Russia in connection with France and England upon the subject of the Florida treaty would be acceptable to the Emperor.[45] Adams saw Poletica, who told him that there could be no objection. Adams then mentioned to him Tatischeff's conduct at Madrid. Poletica said he was not surprised at that, in fact, he rather suspected that it would be so. He knew Tatischeff very well, and if he had acted in that way it was to be in opposition to everything done by the British ambassador and to strengthen his own influence by displaying zeal for those to whom he was accredited.[46]

Forsyth had threatened to leave Madrid, but it was not Russia's policy to allow a break between the United States and Spain. The Russian *chargé* prevailed upon Forsyth not to depart,[47] and exerted himself so that the Spanish government pledged that the new minister, lately appointed to the United States, would set out on his mission without delay, with full powers to settle all differences in a manner satisfactory to the parties concerned.[48]

Campbell's communication to Nesselrode, that the United States would probably occupy Pensacola and St. Augustine if the Florida treaty was not ratified, must have disturbed the Russian government. As if in reply to this communication Poletica, about the middle of March, 1820, read to Adams an extract from a despatch of Nesselrode's, dated November 27 (December 9), 1819, in which Nesselrode said that the Emperor charged Poletica to plead the cause of concord and peace with the government at Washington,

[45] Ib., p. 458.
[46] Ib., pp. 458–459.
[47] Ib., vol. 5, p. 24.
[48] Messages and Papers of the Presidents, vol. 2, p. 69; John Forsyth to J. Q. Adams. Madrid, Jan. 3, 1820. American State Papers, For. Rel., vol. 4, pp. 674–5.

and to persuade them to deal patiently with the Spanish ministry. The Emperor, however, wanted it understood that he did not interfere in this affair, that he made above all no pretension to exercise any influence in the councils of a foreign nation, but that he was prompted only by his concern for the general welfare. Poletica also showed Adams extracts from private letters from Capodistrias and Pozzo di Borgo to him, expressing the same sentiments and earnestly urging him to prevent the United States from taking measures of "self-ratification."[49]

It was apparent to the American government that France and Russia strongly feared the immediate forcible occupation of Florida by the United States in case Spain refused to ratify the treaty within the stipulated time. Such an action would be the beginning of hostilities and these two nations earnestly endeavored to prevent the United States from taking such a course, owing to the tendency to kindle a general war which they feared would be the consequence of the war between the United States and Spain. The methods by which they endeavored to persuade the United States, "not by any regular official communications, but by informal friendly advice," were appreciated by the American government.[50]

Monroe determined to send a message to Congress on the Florida affair. He again asked Adams to inquire of Poletica if it would be satisfactory to the Emperor that public reference should be made in it to the sentiments avowed by him concerning the settlement of the differences of the United States with Spain. To Adams's inquiry Poletica answered that he was sure it would be not only satisfactory but gratifying to the Emperor, and he let Adams

[49] Count Nesselrode to P. de Poletica. Nov. 27 (Dec. 9), 1819. Annals of Congress. 16th Cong., 2d Sess., 1820–1821, p. 1402; J. Q. Adams, Memoirs, vol. 5, p. 24.

[50] J. Q. Adams to Wm. Lowndes. Dec. 21, 1819. American State Papers, For. Rel., vol. 4, p. 674.

take a copy of the part of Nesselrode's letter to him which referred to Spain.[51]

On March 27, 1820, President Monroe sent the message to Congress transmitting extracts from despatches of Campbell and Forsyth. He called the attention of Congress to the strong interest of the Emperor in promoting the ratification of the Florida treaty, and also to the Russian *chargé's* action in obtaining a pledge from the Spanish government that the new Spanish minister would start on his mission immediately and with full powers to settle all differences. "It is proper to add," the message said, "that the governments of France and Russia have expressed an earnest desire that the United States would take no steps for the present on the principle of reprisal which might possibly tend to disturb the peace between the United States and Spain. There is good cause to presume from the delicate manner in which this sentiment has been conveyed that it is founded in a belief as well as a desire that our just object may be accomplished without the hazard of such an extremity." Therefore the President proposed to Congress to postpone to the next session a decision on the question then pending with Spain.[52]

This message gave considerable satisfaction to the Russian government, and Nesselrode informed Campbell that the Emperor was much pleased with it.[53] And Alexander himself stated to the American minister the great satisfaction with which he had learned the course the American government had pursued toward Spain. With much apparent sincerity he expressed his pleasure at the manner in which reference was made to him in the President's message on the subject of the Floridas. He charged Campbell to assure the American government that he would do all in his power to maintain the most perfect friendship with them. He then pro-

[51] J. Q. Adams, Memoirs, vol. 5, pp. 33–35.
[52] Messages and Papers of the Presidents, vol. 2, p. 69.
[53] G. W. Campbell to J. Q. Adams. June 6/18, 1820. Despatches, Russia, vol. 7, no. 25. MS., State Department Archives.

ceeded to remark that from the situation of the two countries it must be their true policy to cultivate with each other the best understanding and to carry on a commerce believed to be mutually beneficial to both, as there was no ground upon which any collision of interests could arise between them. The Czar closed this audience by again charging Campbell to inform the President of his appreciation of the reference to him in the message, and to assure the American government that it would always find in him "a true and loyal friend." To Campbell the whole demeanor of the Emperor on this occasion appeared to be evidently studied and designed to produce the strongest impression of his friendly sentiments towards the United States, and to procure, or rather confirm, in turn like sentiments on their part towards the Imperial government.[54]

In March, 1820, Campbell wrote to Adams that some time before it had been reported that Spain was about to cede California to Russia, and that Cathcart, the British ambassador to St. Petersburg, had applied to Nesselrode for the truth of this report, which was denied. Nevertheless, Campbell said, it was his opinion that Russia was likely to expand if she could get the opportunity.[55]

The arrival in Washington in 1820 of Vivas, the new Spanish minister, gave promise of a speedy and amicable settlement of the difficulties between the United States and Spain. Poletica manifested no further interest in the matter. The suppression of the revolutionary movements in Europe and the opening up of the Eastern question by the revolt of the Greeks now absorbed all the attention of Russia. The offer to the United States to become a member of the Holy Alliance was never made again. It was a strong and

[54] G. W. Campbell to J. Q. Adams. June 25 (July 7), 1820. Despatches, Russia, vol. 7, no. 26. MS., State Department Archives.
[55] G. W. Campbell to J. Q. Adams. March 13/25, 1820. Despatches, Russia, vol. 7, no. 22. MS., State Department Archives.

flattering proof of the prominent position of the United States in world politics even at that early period of their existence. But Monroe was determined to continue in the policy laid down by Congress when, in 1783, it refused to renew to Dana or any other minister of the United States the power to accede to the maritime confederacy. And Adams, speaking officially for Monroe's administration, declared: "The political system of the United States is . . . essentially extra-European. To stand in firm and cautious independence of all entanglements in the European system has been a cardinal point of their policy under every administration of their government from the peace of 1783 to this day. . . . Yet in proportion as the importance of the United States as one of the members of the general society of civilized nations increases in the eyes of others, the difficulties of maintaining this system and the temptations to depart from it increase and multiply with it." Should renewed overtures on this subject be made Russia would be answered "that the organization of our government is such as not to admit of our acceding formally to that compact. But it may be added that the President, approving of its general principles and thoroughly convinced of the benevolent and virtuous motives which led to the conception and presided at the formation of his system by the Emperor Alexander, believes the United States will more effectually contribute to the great and sublime objects for which it was concluded by abstaining from a formal participation in it. As a general declaration of principles, . . . the United States not only give their hearty assent to the articles of the Holy Alliance but they will be among the most earnest and conscientious in observing them. But independent of the prejudices which have been excited against this instrument in the public opinion, which time and experience of its good effects will gradually wear away, it may be observed, that for the repose of Europe as well as of America, the American and Euro-

pean systems should be kept as separate and distinct from each other as possible."[56]

Like his predecessors, Campbell would have liked to enter into commercial negotiations with Russia. But he saw that though the Russian government was doubtless disposed to encourage the extension of the trade carried on with the United States, which was considered in proportion to its amount the most valuable enjoyed by the empire, yet there was good reason to believe it was still disinclined to enter into any commercial stipulation by treaty. Russia was very desirous of encouraging her own manufactures and was making every effort towards that end, and therefore wished to remain at liberty, unrestrained by any engagements with other powers, to adopt such regulations in regard to commerce as might best produce that result.[57]

Campbell had been at his post scarcely eight months when he began to make repeated requests to be recalled. The death of three of his children in one week and the effect of the climate upon his own health and that of the remainder of his family made him desirous to leave Russia. Like Pinkney, he asked to be withdrawn on leave of absence in order not to have to undergo the disagreeable situation of refusing the gifts from the court.[58] Under these circumstances the President could only grant his request, and on August 23, 1819, Adams wrote him that the President had consented to his return to the United States on leave of absence and whenever it suited him, and that the affairs of the legation were to be left in charge of Charles Pinkney.[59]

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[56] J. Q. Adams to H. Middleton. July 5, 1820. Instructions, vol. 9. MS., State Department Archives.

[57] G. W. Campbell to J. Q. Adams. Feb. 16/28, 1820. Despatches, Russia, vol. 7, no. 21. MS., State Department Archives.

[58] Same to same. April 21 (May 3), May 3/14, May 24 (June 5), June 14/26, and July 8/20, 1819. Despatches, Russia, vol. 7, nos. 6, 7, 8, 9 and 10. MSS., State Department Archives.

[59] J. Q. Adams to G. W. Campbell. Aug. 23, 1819. Instructions, vol. 8, no. 6. MS., State Department Archives.

Having thus received permission from his government, Campbell left St. Petersburg on July 8, 1820,[60] on leave of absence, thus terminating a mission which had given the utmost satisfaction to the Russian government.[61]

[60] G. W. Campbell to J. Q. Adams. Aug. 10, 1820. Despatches, Russia, vol. 7, no. 27. MS., State Department Archives.

[61] Emperor Alexander to President Monroe. Feb. 22, 1821. Russian Legation, vol. 1.

CHAPTER VIII.

Russian Arbitration in Reference to the Treaty of Ghent.

By the first article of the treaty of Ghent it was agreed between the United States and Great Britain that "all territory, places, and possessions whatever, taken by either party from the other during the war, or which may be taken after the signing of this treaty, . . . shall be restored without delay, and without causing any destruction, or carrying away of the artillery or other public property originally captured in the said forts or places, and which shall remain therein upon the exchange of the ratifications of this treaty, or any slaves or other private property."[1] Under this article the United States claimed for their citizens, as their private property, the restitution of or full compensation for all slaves who, at the date of the exchange of the ratifications of the treaty of Ghent, were in any territory, places or possessions directed by the treaty to be restored to the United States, but then still occupied by the British forces, whether such slaves were, at that date, on shore, or on board any British vessel lying in waters within the territory or jurisdiction of the United States. This claim Great Britain refused to admit, holding that it was not the true intent and meaning of the article. To settle this difference it was agreed in the fifth article of a treaty, signed at London, October 20, 1818, that Great Britain and the United States should refer this dispute to some friendly sovereign or state, to be named for the purpose, and that the contracting parties should consider the decision of the sovereign or state so chosen to be final and conclusive in all matters referred.[2]

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[1] American State Papers, For. Rel., vol. 3, pp. 745–748.
[2] American State Papers, For. Rel., vol. 4, p. 407.

In accordance with this agreement Rush, the American minister to Great Britain, proposed on January 13, 1820, to Lord Castlereagh, the British minister of foreign affairs, the Emperor of Russia as the choice of the United States for the arbitrator in the settlement of the slave question; since he was the only "sufficiently independent" sovereign of Europe with whom they had "political relations."[3] A week later Rush was informed that the Prince Regent had consented to this selection.[4]

It was now necessary for the President to appoint a successor to Campbell. Like Daschkoff,[5] Poletica tried to influence presidential appointments. He endeavored to push the claim first of Levett Harris, and then of Poinsett, for the Russian mission.[6] Monroe, however, offered the place to Henry Middleton of South Carolina, a man of parliamentary experience but of no previous diplomatic training.[7] Middleton, with the understanding that the principal object of his mission was to be the reference to the Emperor Alexander of the claim of indemnity against Great Britain, accepted the appointment.[8]

Secretary Adams's instructions to the new minister were largely devoted to explanations of the interpretation which the United States put on the first article of the treaty of Ghent. Middleton was authorized to make presents to the Russian ministers and clerks for their trouble in this negotiation, but these presents, however, were to be made with the knowledge and consent of the Emperor and with the understanding that the minister of the United States was to

[3] J. Q. Adams, Memoirs, vol. 5, p. 407.
[4] Rush, Memoranda of a Residence at the Court of London, pp. 238, 241.
[5] J. Q. Adams, Memoirs, vol. 4, p. 283.
[6] Ib., pp. 401–402; 474–475.
[7] Ib., p. 505.
[8] H. Middleton to J. Q. Adams. Feb. 2, 1820. Despatches, Russia, vol. 8 (private). MS., State Department Archives. The President sent Middleton's nomination to the Senate on April 5, 1820, and it was confirmed the next day. Senate Executive Journal, vol. 3, p. 205.

receive none in return. He was to endeavor to ascertain in what light the revolutionary proceedings in Spain were regarded in St. Petersburg, what influence they would have upon the unsettled dispute between Spain and Portugal for Montevideo, and what opinions were entertained with regard to the South American struggles for independence.[9]

Adams also informed Middleton of the offer of the Russian minister for the United States to become a party to the Holy Alliance; and he stated that it was "the President's absolute and irrevocable determination" not to join the league, "although he trusts that no occasion will present itself rendering it necessary to make that determination known by an explicit refusal."[10]

Middleton proceeded first to London in order to make with the British government the preliminary arrangements necessary on both sides before the controversy between the two countries could be laid before the Russian Emperor. But as Lord Castlereagh refused to come to an agreement a delay ensued.[11] Finally Castlereagh gave way and agreed to preliminary conditions which were acceptable to the American envoy.[12]

European affairs had forced Castlereagh to yield, for England now stood alone in the concert of the great powers. The Emperor Alexander had proposed, on April 1, 1820, the joint action of the European powers in Spanish affairs. England had answered by a direct and energetic negative. In spite of England's opposition a conference of sovereigns was arranged to be held at Troppau, in October, 1820, to consider the political situation in the Latin countries.[13]

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[9] J. Q. Adams to H. Middleton. July 5, 1820. Instructions, vol. 9. MS., State Department Archives.

[10] Ib.

[11] H. Middleton to J. Q. Adams. London, Aug. 28, 1820. Despatches, Russia, vol. 8, no. 1. MS., State Department Archives.

[12] Same to same. London, Sept. 15, 1820. Despatches, Russia, vol. 8, no. 2. MS., State Department Archives.

[13] Fyffe, History of Modern Europe, vol. 2, pp. 189–197; Skrine, Expansion of Russia, pp. 66–67.

Having reached an agreement with Castlereagh, Middleton proceeded to St. Petersburg, arriving there October 28 (O. S.), 1820. He was not able to push the arbitration for some time as both the Emperor and Nesselrode were absent at the Troppau conference,[14] which in January, 1821, was transferred from Troppau to Laybach. And so it was not until June 17, 1821, that Middleton was presented to the Czar, whom he considered to be the best informed man on American affairs whom he had talked with in Russia.[15]

In the meanwhile Middleton had discussed the arbitration with Sir Charles Bagot, the British ambassador at St. Petersburg, and had told him the substance of what had been agreed upon at London. Bagot informed him that although he was authorized by his original instructions to make application to the Emperor jointly with the American minister, no later instructions nor a full power had yet been sent him. Middleton then discussed the affair with Senator Divow, who was in charge of the foreign office *ad interim* and whose usual duty was to prepare business as *chef de bureau* for the eye of the Emperor. At Divow's request Middleton gave him a short statement of the American side of the case, with which Divow seemed much pleased, promising "to put affairs *en train* against the return of the Emperor."[16]

But Bagot's full power for the negotiation did not arrive. He declared that he was under the impression that his court considered him as already authorized to go on with the reference, and he furnished Middleton with a copy of his instructions. Upon Sir Charles's assurance that he was fully empowered to act Middleton then urged immediate steps. And on June 9/21, 1821, Middleton sent a note to Nesselrode, informing him that Great Britain and the United

[14] H. Middleton to J. Q. Adams. St. Petersburg, Dec. 6/18, 1820. Despatches, Russia, vol. 8, no. 3. MS., State Department Archives.

[15] H. Middleton to J. Q. Adams. June 8/20, 1821. Despatches, Russia, vol. 8, no. 5. MS., State Department Archives.

[16] Same to same. April 8/20, 1821. Despatches, Russia, vol. 8, no. 4. MS., State Department Archives.

States had agreed to refer their differences regarding the true interpretation of the first article of the treaty of Ghent to some friendly sovereign, pledging themselves to accept his decision as final, and that, at the suggestion of the United States, the Emperor of Russia had been agreed upon as the arbitrator. Therefore at the order of the President Middleton requested the Count to inform the Emperor of the wish of the United States that he would consent to be the umpire in this matter. Nesselrode accepted in the Emperor's name, and requested Middleton to send him all the papers which would clear up and place in its true light the question on which the Emperor was called to decide. At the same time identical notes passed between Nesselrode and Bagot.[17]

In response to Nesselrode's request Middleton sent him the act by which the United States and Great Britain were to refer, through their ministers, their differences to the Emperor of Russia, and also a short "*exposé*" of the circumstances which led to their contention and the correspondence which had taken place with regard to it.[18] A "*compromis*" was then drawn up and sent to Nesselrode by the two ministers. In this the article in dispute was given and the claims of both parties set forth. This was drawn up in duplicate and signed by both the plenipotentiaries, each signing first and naming first his own government in the paper presented by him. In the compilation of this paper Middleton endeavored to give a very condensed view of the case, to make the character of the reference decidedly an arbitration, and to reserve under the convention the right

[17] H. Middleton to J. Q. Adams. July 20 (Aug. 1), 1821. Despatches, Russia, vol. 8, no. 6; H. Middleton to Count Nesselrode. June 9/21, 1821. Ib., inclosure B; Count Nesselrode to H. Middleton. June 22 (July 4), 1821. Ib., inclosure C; Sir Charles Bagot to Count Nesselrode. June 9/21, 1821. Ib., inclosure E; Count Nesselrode to Sir Charles Bagot. June 22 (July 4), 1821. Ib., inclosure D. MS., State Department Archives.

[18] Despatches, Russia, vol. 8, no. 6, inclosure H. State Department Archives. The exposé or memorial was entitled "Précis de la Question ou Exposé abrégé du différence qui est survenu par rapport au premier article du traité de Grand entre les États-Unis d'Amérique et l'Angleterre avec des pièces justificatives."

of referring again to the Emperor any further difficulties which might arise in the case.[19]

Middleton's "*exposé*" or memorial the Emperor had sent to Bagot with the request for his comments upon it, and Nesselrode informed Middleton that, when the Emperor had received Bagot's observations, he would inform Middleton of Bagot's reply if he considered that any new information was necessary. Owing to the affairs of Turkey, which were then a matter of great discussion between Great Britain and Russia, Bagot delayed for some time making a reply to Middleton's memoir.[20] It was not until November 1, 1821, that Nesselrode sent Middleton a copy of Bagot's observations and invited him to answer them, informing him that this reply in turn would be communicated to Bagot, who could then prepare one too; and then if Middleton and Bagot should agree to close this written discussion the Emperor, after having maturely weighed the cases of both parties, would render the decision. In the course of a few days Middleton sent in his reply.[21] Bagot having answered in turn this reply of Middleton's in December, Nesselrode wrote to Middleton, sending him a copy of Bagot's reply and asking him to let him know if he consented to closing this written debate. As Bagot announced that he had nothing more to say, Middleton consented to the closure of the discussion. The matter then rested in the hands of the Emperor for his decision.[22]

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[19] H. Middleton to J. Q. Adams. July 20 (Aug. 1), 1821. Despatches, Russia, vol. 8, no. 6, and inclosure I. MS., State Department Archives.

[20] H. Middleton to J. Q. Adams. Aug. 20 (Sept. 1), 1821. Despatches, Russia, vol. 8, no 8. Count Nesselrode to H. Middleton. Aug. 9, 1821. Ib., inclosure A. MS., State Department Archives.

[21] H. Middleton to J. Q. Adams. Oct. 29 (Nov. 10), 1821. Despatches, Russia, vol. 8, no. 12, and inclosures 1 and 2. MS., State Department Archives.

[22] Count Nesselrode to H. Middleton. Dec. 20, 1821. Despatches, Russia, vol. 8, no. 15, inclosure 1; H. Middleton to Count Nesselrode. Dec. 21, 1821. Ib., inclosure 3. MSS., State Department Archives.

In the meanwhile it looked as if Russia were going to war with Turkey, in which event there would be a clash of Russian interests with those of England and Austria. It was not until this war cloud had been removed through the diplomacy of Metternich that the Emperor gave his decision as to the proper interpretation of the disputed article of the treaty of Ghent.[23] About the latter part of April, 1822, Bagot and Middleton were summoned to the foreign office and the decision was confidentially read to them.[24] It was entirely in favor of the United States. It declared:

"That the United States of America are entitled to a just indemnification from Great Britain for all private property carried away by the British forces; and as the question regards slaves more especially, for all such slaves as were carried away by the British forces from the places and territories of which the restitution was stipulated by the treaty, in quitting the said places and territories;

"That the United States are entitled to consider, as having been so carried away all such slaves as may have been transported from the above-mentioned territories on board of the British vessels within the waters of the said territories, and who, for this reason, have not been restored;

"But that, if there were any American slaves who were carried away from the territories of which the first article of the treaty of Ghent has not stipulated the restitution to the United States, the United States are not to claim an indemnification for the said slaves."

In addition the Emperor stated his willingness to exercise the office of mediator in the negotiations which must ensue between the United States and Great Britain in consequence of this award.[25]

Bagot then inquired if the English government was bound to indemnify the United States for any slaves who, coming

[23] Debidour, Histoire Diplomatique de l'Europe, t. 1, pp. 165–174.
[24] H. Middleton to J. Q. Adams. April 24 (May 6), 1822. Despatches, Russia, vol. 9, no. 18. MS., State Department Archives.
[25] American State Papers, For. Rel., vol. 5, p. 220.

from places which had never been occupied by the British troops, voluntarily joined the British forces, either from the encouragement of the English officers or to free themselves from the power of their masters, these slaves not having been carried away from places of which the article stipulated the restitution. Middleton at once protested and declared that Bagot misconceived the meaning of the decision, which was worded entirely in the terms of the treaty, and should not therefore attempt to draw any line of distinction between slaves captured and such as had voluntarily surrendered themselves. He further said that he could not imagine it could be the Emperor's intention to countenance the doctrine that such a mode of warfare as that was legitimate.[26]

This discussion drew from Nesselrode a note which was to be taken as an annex to the final decision of the Emperor. In this note Nesselrode stated that the Emperor had declared, in consequence of Bagot's question,

"That in quitting the places and territories of which the treaty of Ghent stipulates the restitution to the United States, his Britanic Majesty's forces had no right to carry away from these same places and territories, absolutely, any slave, by whatever means he had fallen or come into their power.

"But that if, during the war, American slaves had been carried away by the English forces from other places than those of which the treaty of Ghent stipulates the restitution, upon the territory, or on board British vessels, Great Britain should not be bound to indemnify the United States for the loss of these slaves, by whatever means they might have fallen or come into the power of her officers."[27]

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[26] H. Middleton to J. Q. Adams. April 24 (May 6), 1822. Despatches, Russia, vol. 9, no. 18. MS., State Department Archives.

[27] Count Nesselrode to H. Middleton. April 22 (O. S.), 1822. American State Papers, For. Rel., vol. 5, p. 221. In commenting on this award J. Q. Adams said in his diary that it was expressed in language needing more explanation than the paragraph of the article which was in question. J. Q. Adams, Memoirs, vol. 6, p. 45.

Believing a convention for indemnification made under the mediation of Russia to be the most effectual mode of securing the complete carrying out of this award, Middleton wrote to Nesselrode requesting that the Emperor should appoint a plenipotentiary on his part for the purpose of framing a convention, in which Russia should intervene as the mediating power and by which the United States and Great Britain could agree to the means of carrying out the decision which the Emperor had just pronounced.[28] Likewise Middleton wrote to Bagot asking him to make the same request to Nesselrode, which he agreed to do.[29]

In response to these requests the Emperor appointed Nesselrode and Capodistrias as his representatives.[30] A project for a convention was then arranged between the British and American ministers. This project embodied the award of the Russian Emperor and provided modes of ascertaining and determining the value of slaves and other private property which might have been carried away in contravention of the treaty of Ghent, for which indemnification was to be made to the citizens of the United States in consequence of the Russian Emperor's award, and of securing compensation to the sufferers for their losses so ascertained and determined.[31] This project having received the Emperor's sanction, the convention was then signed on July 12 (N. S.), 1822, by the Czar's plenipotentiaries and the two ministers.[32]

While these negotiations were in progress and it appeared likely that England and Austria would oppose the Emperor in case of a war between Russia and Turkey,[33] advances

[28] H. Middleton to Count Nesselrode. April 27 (May 9), 1822. Despatches, Russia, vol. 9, no. 9, inclosure 1. MS., State Department Archives.

[29] H. Middleton to Sir C. Bagot. April 27 (May 9), 1822. Ib., incl. 2. Sir C. Bagot to H. Middleton. May 6/18, 1822. Ib., inclosure 3.

[30] Count Nesselrode to H. Middleton. May 16, 1822. Ib., inclosure 5.

[31] American State Papers, For. Rel., vol. 5, pp. 214–217.

[32] H. Middleton to J. Q. Adams. July 4/16, 1822. Despatches, Russia, vol. 9, no. 12, inclosure 9. MS., State Department Archives.

[33] Debidour, Histoire Diplomatique de l'Europe, t. 1, p. 169.

were made to the American minister at St. Petersburg to see if American aid might not be secured in return for commercial concessions. An official "who holds a place near the Emperor's person" approached Middleton, in the early part of September, 1821, and asked him why he had not proposed a commercial treaty; his predecessors had done so, but it was English influence that had prevented it. He advised Middleton to speak now to Nesselrode about it, who would discourage it, although the proposal would be acceptable. Great changes were about to take place in a short time, for the Emperor was much dissatisfied with his position in European affairs. Austria and perhaps England also had formed an alliance with the Porte, while February next (1822) was the date at which hostilities would begin between Russia and Turkey. Middleton was then asked if the United States would not do something in aid of the Russian cause, which was that of Greece, by a squadron. The hint was given that the presence of an American fleet in the Mediterranean and in the Baltic would be desirable. Without any comment Middleton reported this communication to his government.[84]

When this despatch had been received in America, the President thought that, by taking advantage of Russia's disagreement with England, the United States might secure to themselves all the commercial advantages which England had hitherto enjoyed in Russia, and he asked Adams if he did not think that Middleton ought to be immediately instructed to propose and negotiate a commercial treaty with Russia. To this Adams emphatically objected. The object of this proposal, he said, was simply to bring the United States into a political connection with Russia. To have an American squadron in the Mediterranean was its aim. A commercial treaty was simply a lure, as the American government was supposed to be very anxious to make such a

[84] H. Middleton to J. Q. Adams. Despatches, Russia, vol. 8, no. 8. Confidential postscript, dated Aug. 30 (Sept. 12), 1821. MS., State Department Archives.

treaty. The United States could really obtain nothing of any importance from Russia in a commercial treaty. Russia had no discriminating duties, no colonial monopolies to remove, while all the trade between the two countries was carried on in American vessels. Russia imported from the United States sugar, coffee and raw cotton without heavy duties, and all that could possibly be obtained would be a trifling reduction of tariff. For everything thus obtained an equivalent would be exacted, and that would evidently be something political. Adams said he knew that the Emperor Alexander had a rooted personal aversion to commercial treaties, considering them, as they certainly were, uncongenial to the policy of Russia. He had always refused to renew the old commercial treaty with Great Britain, and always hitherto declined a treaty with the United States. If he had now changed his mind, the United States would soon discover that for any advantage he might be disposed to yield he would claim for an equivalent something more than it was worth. The President replied that on no consideration whatever would he enter into any political entanglement with Russia.[35] And so instructions to that effect were sent to Middleton, and he was informed that the American government did not think either a commercial or a political treaty to be very urgent, as from all appearances the universal peace was not likely to be disturbed.[36]

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[35] J. Q. Adams, Memoirs, vol. 5, pp. 429–431.

[36] J. Q. Adams to H. Middleton. Dec. 6, 1821. Instructions, vol. 9, no. 11. MS., State Department Archives.

CHAPTER IX.

The Treaty of 1824.

The course of Russian expansion in Siberia, as planned by Peter the Great, brought Russian explorers to the northwest coast of America.[1] The voyage of Behring in 1740–1741 along this coast incidentally disclosed the fact that the region was extremely rich in furs, which were the principle article of export in the Russian trade with China.[2] Voyages made to this region in quest of that commodity resulted in the establishment of trading posts, which were extended as the trade increased.[3] As the result of demoralizing competition between rival companies and independent traders, the Russian American Company was formed by a ukase of July 8, 1799, to which was granted for a term of twenty years a monopoly of the trade and an exclusive jurisdiction of the American coast north of the fifty-fifth degree of north latitude. They had also the right to make discoveries and to occupy, as Russian possessions, new territory on either side of the fifty-fifth parallel not already occupied by any other nation, and to govern, fortify, and defend its colonies.[4]

Spain and Great Britain had likewise been engaged in the fur trade on the northwest coast of America, but from 1796 to 1815 they were so engrossed in the wars of Europe that the trade between the American coasts on the Pacific and China was carried on exclusively by American vessels. These vessels exchanged with the natives wine, firearms, ammunition, and coarse manufactures for furs. These furs

[1] Greenhow: Memoir, Historical and Political, on the Northwest Coast of North America, pp. 59–60.
[2] Ib., pp. 38, 64.
[3] Ib., p. 88.
[4] Proceedings of the Alaskan Boundary Tribunal. 58th Cong., 2d Sess. Sen. Doc. no. 162, vol. 2, pp. 23–24.

were then sold at Canton for teas, silks, and other articles destined for the markets of Europe or the United States.[5] This trade was so lucrative that from 1790 the number of American vessels engaged in it constantly increased.[6]

As these independent American traders secured a considerable portion of the skins sold by the natives, they undoubtedly interfered with the monopoly of the Russian American Company. In addition they were favored by the Chinese by being permitted to dispose of their furs at Canton, from which port the Russians were excluded by treaty. As a result the Russians were compelled to carry their peltries into China by a long overland route through Siberia.[7]

Extremely exasperated by this interference in their monopoly, the Russian American Company complained that, by reason of the firearms and ammunitions sold to the natives by the American traders, considerable damage was done to their settlements on the northwest coast of America. Unquestionably there was some ground for this complaint. In 1808 Count Romanzoff proposed to Consul Harris a convention by which the trade of American citizens on the northwest coast of America should be restricted to a common market and should be exclusively with the Russian American Company.[8] In 1810 Daschkoff, the Russian *chargé*, renewed the complaint of the Russian government against this trade, and suggested to the American government that it prohibit, by statute or treaty, its citizens from trading with the natives on the northwest coast and that it confine their intercourse to the Russian establishments. As Daschkoff was unable to fix boundaries within which this prohibition was to operate, the negotiations were transferred to St. Petersburg. When the question was opened at St. Petersburg Romanzoff stated

[5] Greenhow, Memoir, etc., p. 143; Greenhow, History of Oregon and California, pp. 266–267.

[6] Pitkin, Statistical View of the Commerce of the United States of America, p. 249.

[7] Greenhow, Memoir, etc., p. 174; Greenhow, History of Oregon and California, p. 268.

[8] See *ante*, p. 38.

that Russia claimed all the northwest coast of America down to the Columbia River. But, upon seeing that Adams was determined to resist such a claim, he dropped the negotiation, as he did not wish to antagonize the United States at that critical stage in European affairs.[9]

In spite of these abortive attempts at negotiation, the Russians increased their trade in the Pacific and took possession of the country near the Spanish port of San Francisco, in spite of the protestation of the Spanish governor.[10] Whether there was any connection between the expansion of Russia on the west coast of America and her interest in the restoration of Spain's revolted colonies was never made clear.

In 1821 the Emperor Alexander renewed the charter of the Russian American Company, and in order to protect the monopoly by that company of the trade on the Russian coasts and islands in the Pacific from the interference of Americans, he issued, on September 4/16, 1821, a ukase for the benefit of that company.[11] By the first article of this ukase

"The pursuits of commerce, whaling, and fishery, and of all other industry on all islands, posts, and gulfs, including the whole of the northwest coast of America, beginning from Behring Straits to the fifty-first degree of northern latitude, also from the Aleutian Islands to the eastern coast of Siberia, as well as along the Kurile Islands from Behring Straits to the south cape of the Island of Urup, viz., to the 45° 50′ north latitude, is exclusively granted to Russian subjects." And by the second article

"It is therefore prohibited to all foreign vessels not only to land on the coasts and islands belonging to Russia, as stated above, but also to approach them within less than one hundred Italian miles. The transgressor's vessel is subject

[9] See *ante*, pp. 47–52.
[10] Greenhow: History of Oregon and California, p. 327.
[11] Count Nesselrode to Count Lieven. Oct. 7, 1821; Sir Charles Bagot to Marquess of Londonderry. Nov. 17, 1821. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 99–100, 101.

to confiscation along with the whole cargo." While by the fourteenth

"It is likewise interdicted to foreign ships to carry on any traffic or barter with the natives of the islands, and of the northwest coast of America, in the whole extent here above mentioned. A ship convicted of this trade shall be confiscated."[12]

To enforce these provisions a Russian fleet was despatched to the northwest coast of America.[13]

On February 11, 1822, Poletica, in accordance with his orders, sent Secretary Adams a printed copy of this ukase, in order to inform him that the Imperial government would hold that a foreign ship which should sail from a European port after March 1, 1822, or from a port of the United States after July 1, could not lawfully pretend ignorance of these regulations.[14]

It was two weeks before Adams replied to this communication. He expressed the President's surprise at Russia's claims upon land and sea. He said that it was expected, before any act should definitely fix the boundary between the territories of the United States and Russia on this continent, that the same would have been arranged by treaty between the parties. To exclude the vessels of American citizens from the shore, beyond the ordinary distance to which the territorial jurisdiction extended, excited still greater surprise. Therefore, as this ordinance affected so deeply the rights of the United States and their citizens, Adams inquired if Poletica was empowered to give explanations of the grounds upon which these claims were based.[15]

Poletica replied that Russia based her claims to that part of the northwest coast of America specified in the regulation

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[12] American State Papers, For. Rel., vol. 4, pp. 857–861.

[13] Count Nesselrode to Count Lieven. Oct. 7, 1821. Proceedings of the Alaskan Boundary Tribunal, vol. 2, p. 100.

[14] A. de Poletica to J. Q. Adams. Jan. 30 (Feb. 11), 1822. American State Papers, For. Rel., vol. 4, pp. 856–857.

[15] J. Q. Adams to A. de Poletica. Feb. 25, 1822. American State Papers, For. Rel., vol. 4, p. 867.

of the Russian American Company upon the title of first discovery, first occupation, and a peaceable and uncontested possession for more than half a century. He also said that if the right to the possession of a certain extent of the same coast claimed by the United States rested only upon the treaty of Washington, 1819 (and Poletica declared that he believed it would be difficult to make good any other title), this treaty could not confer upon the American government any right to oppose the limits assigned to the Russian possessions on the same coast, as Spain herself had never pretended to such a right.

Furthermore, Poletica stated that Russia had been very moderate in her use of an incontestable right, for the Russian navigators who were the first to explore that part of the American continent in 1741 had pushed their discoveries as far as the forty-ninth degree north latitude. The fifty-first degree, therefore, was no more than a mean point between the Russian establishment of New Archangel, situated under the fifty-seventh degree, and the American colony at the mouth of the Columbia, which was under the forty-sixth degree of the same latitude.

Poletica likewise declared that the Emperor had observed the same moderation in prohibiting foreign vessels from approaching that part of the coast of America belonging to Russia within the distance of at least one hundred Italian miles. For, as the Russian possessions on the American coast extended from Behring Straits to the fifty-first degree of north latitude, and on the opposite side of Asia and the islands adjacent from the same strait to the forty-fifth degree, the extent of sea, of which these possessions formed the limits, included all the conditions which were ordinarily attached to closed seas; therefore Russia, if she saw fit, might exercise upon this sea the rights of sovereignty, and especially that of interdicting the entrance of foreigners.

Poletica explained that this ukase had no hostile intention, but that it was solely directed against persons who carried

on a trade prejudicial to the rights entirely reserved to the Russian American Company, and who furnished arms and ammunitions to the natives and incited them to resistance and revolt against the Russian authorities. Such persons, Poletica declared, were mostly Americans, and he recalled to Adams that the Russian government had remonstrated before on this subject without avail, and as the difficulties were increasing the regulation in question had been determined upon to stop the evils of which complaint was made.[16]

When Secretary Adams answered Poletica's note, he said that upon such reasonings as were advanced by Poletica the United States could not accede either to Russia's claim to the fifty-first degree on the northwest coast, or to that of prohibiting vessels from approaching within one hundred Italian miles of that coast. From the period of the existence of the United States as an independent nation their vessels had freely navigated the seas, and the right to navigate them was a part of that independence. The right of their citizens to trade with the natives of the northwest coast of America, beyond the territorial jurisdiction of other nations, even in arms and ammunitions of war, was as clear and indisputable as that of navigating the seas. Adams then denied that this right had ever been exercised in an unfriendly spirit towards Russia, and said that while general complaints had occasionally been made against this trade, no specific charges had ever been alleged of any transaction in which the United States were bound by the ordinary laws and usages of nations either to retain or to punish. As for the suggestion that the Russian government might be justified in the exercise of sovereignty over the Pacific as a closed sea, because it claimed territory both on its American and Asiatic shores, Adams said that it was only necessary to say that the distance from shore to shore on this sea, in the latitude fifty-

[16] A. de Poletica to J. Q. Adams. Feb. 28, 1822. American State Papers, For. Rel., vol. 4, pp. 861–863.

one degrees north, was not less than ninety degrees of longitude or four thousand miles.[17]

As Poletica was not authorized to continue this discussion, he took Adams's note *ad referendum.*[18] In this correspondence each government endeavored to maintain its trading rights on the northwest coast. To preserve an exclusive monopoly for her subjects Russia claimed sovereign rights over the region, while the United States denied those rights in order to maintain the unrestricted intercourse which American traders up to that time had enjoyed with natives on that coast.

This discussion could not be carried further, for Poletica announced that he was going to return to Russia on leave of absence.[19] Such was the manner in which Adams, Pinkney, and Campbell had retired, and such was the mode now adopted by Poletica. His relations with the American government had always been most cordial and by his conduct he had gained the esteem of the President.[20] Before he left, however, Adams wrote to him that the President requested that upon his return to St. Petersburg he would inform the Emperor of the President's earnest desire for the continuance of the friendly relations between the two countries, and of "the impossibility that the United States should acquiesce either in the interdiction of their lawfully navigating vessels to approach within 100 Italian miles of the shore of an open sea, or in the disturbance of their citizens in the prosecution of their intercourse with the natives of this continent beyond the degree of 51 north latitude in the region where Russia has never before this edict asserted

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[17] J. Q. Adams to A. de Poletica. March 30, 1822. American State Papers, For. Rel., vol. 4, p. 863.

[18] A. de Poletica to J. Q. Adams, March 21 (April 2), 1822. Ib., pp. 863–865.

[19] A. de Poletica to J. Q. Adams. April 16, 1822. Russian Legation, vol. 1. MS., State Department Archives.

[20] J. Q. Adams to H. Middleton. May 13, 1822. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 39–40.

exclusive jurisdiction." With Adams's thus having the last word the discussion ceased in America for some time.[21]

From the time that the ukase was published Middleton lost no opportunity of expressing, as his private opinion, his disapproval of it in conversation both with the secretaries and with all such persons whom he knew to be habitually consulted upon questions of a similar nature, although he refrained from taking any official steps until he should receive instructions to do so.[22]

Adams's vigorous protest to Poletica had, however, its desired effect. The Russian government quickly saw that its extravagant claims were untenable. Baron Tuyll was again appointed to the American mission and ordered to proceed to Washington without delay. This was done in order that he might agree upon a treaty of limits with the United States which would make unnecessary any further discussion as to the extent of the respective jurisdictions of the United States and Russia on the northwest coast of America, while the Russian fleet was instructed not to apply the one hundred mile rule too strictly.[23]

Of this fact the Russian government, doubtless desiring to make as good a bargain with the United States as possible, and not wishing to humiliate itself publicly by so sudden a *volte-face*, did not give any information to Middleton. In fact he was informed that Baron Tuyll had been ordered to proceed to the United States at once in order that there might be no delay in the exchange of the ratifications of the treaty made under the Emperor's mediation relative to his award on the slave question.[24]

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[21] J. Q. Adams to A. de Poletica. April 24, 1822. Notes to Foreign Ministers, vol. 2. MS., State Department Archives.

[22] H. Middleton to J. Q. Adams. Aug. 8/20, 1822. Despatches, Russia, vol. 9, no. 23. MS., State Department Archives.

[23] Minister of Finance to the chief manager of the Russian American Company. July 18, 1822. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 40–41; Memorandum by the Duke of Wellington, Sept. 11, 1822. Ib., pp. 108–109.

[24] H. Middleton to J. Q. Adams. July 4/16, 1822. Despatches, Russia, vol. 9, no. 20. MS., State Department Archives.

By Poletica Adams had sent Middleton instructions to make it distinctly understood to the Russian government that the United States could not for a moment acquiesce in the regulations of the ukase, and that they would never admit that they could in any manner impair their rights, or those of their citizens. He was to insist particularly upon the revocation of any orders which might have been given to the Russian war vessels which infringed upon the unquestionable rights of American ships, for should they be molested the excitement in the United States would be very great.[25]

Upon the receipt of these instructions, Middleton had several conferences with the Russian secretaries of state at which the question of the regulations was fully and freely discussed. At length, hearing that the Emperor was about to set out for the congress at Verona, Middleton, on July 24, 1822, told Capodistrias that he intended to ask for a formal interview with Count Nesselrode before his departure, for the purpose of taking up this subject and urging some decision on it, as he was never able to ascertain officially whether the offensive provisions of the ukase would be repealed. Middleton then read to Capodistrias a *note verbale* which he intended to give Nesselrode. In this note Middleton stated that, as public opinion in the United States was greatly opposed to those regulations in the ukase, and as a careful perusal of them could not fail to show that a state of war between the two nations existed already, owing to the principles that had been avowed on both sides, nothing was lacking to make this complete except a declaration of war or acts of violence, which latter could not fail to be soon forthcoming unless precautionary measures were taken at once. Therefore, to avoid any complications that might arise through hostilities, it was necessary for the Russian government to abstain from putting into execution the

[25] J. Q. Adams to H. Middleton. May 13, 1822. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 39–40.

measures ordered by the ukase of September 4/16, 1821, and to revoke the orders issued to the armed vessels, if any such had been issued, authorizing those measures to be carried out.[26]

Capodistrias advised Middleton not to present this note. He told him that "the Emperor has already had the good sense to see that this affair should not be pushed too far," that the Russian government was not disposed to follow it up and had given orders to the Russian war vessels simply to prevent contraband trade within the limits recognized by the other powers, taking the present Russian establishments as a basis for these operations. By this course the negotiations which might be commenced by Baron Tuyll on his arrival in Washington would not be embarrassed.[27]

Following Capodistrias's advice, Middleton did not present this note at an interview which he had with Nesselrode on July 27, 1822. At this conference Middleton informed both the secretaries of state of his instructions with regard to the ukase, insisting upon the necessity of the Russian government's suspending the execution of the objectionable regulations. Middleton was then given verbal assurances that the wish of the United States would be complied with, and that it was the intention of the Emperor that Baron Tuyll should be furnished with full powers to adjust all controversies upon the subject of trade and territory upon the northwest coast. Capodistrias then said that the American government ought in the meanwhile to prohibit its citizens from trading in the disputed limits. Middleton declared that this could not be done without admitting the exclusive rights of Russia, and that until those should be proved the American government had no authority to prohibit its citizens from exercising their free industry within

[26] H. Middleton to J. Q. Adams. Aug. 8/20, 1822, and inclosure no. 1. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 42–45.

[27] H. Middleton to J. Q. Adams. Aug. 8/21, 1822. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 42–45.

the limits sanctioned by the laws of their country and of nations.[28] Negotiations on this subject were thus to be transferred again to Washington.

England had likewise protested against the ukase of September 4/16, 1821, but not seriously until at the congress of Verona in November, 1822. As the result of discussions between the Duke of Wellington and Count Lieven it was agreed that the Russian ambassador at London should inform the British government of the Emperor's desire to negotiate upon the whole question of Russia's claims in North America.[29] And so on January 31, 1823, Count Lieven proposed to George Canning, the British minister of foreign affairs, that "all the differences to which the regulation in question had given rise should be adjusted by an amicable arrangement, founded on the sole principle of mutual expediency, to be negotiated at St. Petersburg."[30] This offer was at once accepted by the British government.[31]

It was not until the middle of April, 1823, that Baron Tuyll, the new Russian minister, arrived in Washington.[32] Immediately after his arrival he wrote to the secretary of state that it was the Emperor's desire to have the discussion which had arisen in consequence of the ukase of September 4/16, 1821, settled by a friendly negotiation; that the Imperial ministry had induced the British cabinet to furnish their ambassador at St. Petersburg with full powers to settle the difficulties existing between the two countries on that subject. He was therefore directed to express the desire of the Emperor "that Mr. Middleton be also furnished with the necessary powers to terminate with the Imperial cabinet, by an arrangement on the principle of mutual

[28] H. Middleton to J. Q. Adams. Aug. 8/21, 1822. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 42–44.

[29] Duke of Wellington to George Canning. November 29, 1822. Ib., p. 117.

[30] Count Lieven to George Canning. Jan. 19/31, 1823. Ib., p. 118.

[31] George Canning to Sir Charles Bagot. Feb. 5, 1823. Ib., pp. 118–119.

[32] Baron Tuyll to J. Q. Adams. April 18, 1823. Russian Legation, vol. 1. MS., State Department Archives.

convenience, all the differences that had arisen between Russia and the United States in consequence of the law published September 4/16, 1821."[33] Russia's reasons for desiring to have the negotiations transferred again to St. Petersburg were obvious.

Before making any reply Adams informed the British minister, Stratford Canning, of this request, desiring that he would mention it to his government, and asking whether, in view of the fact that the necessary powers would in all probability be given to Middleton, it might not be well for the British and American governments to empower their ministers to act in the proposed negotiation on a common understanding. "He added," wrote Stratford Canning to his government, "that the United States had no territorial claims of their own as high as the 51st degree of latitude, although they disputed the extent of those advanced by Russia, and opposed the right of that power to exclude their citizens from trading with the native inhabitants of those regions over which the sovereignty of Russia had been for the first time asserted, . . . and most particularly the extravagant pretension to prohibit the approach of foreign vessels within 100 Italian miles of the coast."[34]

On May 7, 1823, Adams wrote to Tuyll that the President had accepted his proposal to remove the negotiations again to St. Petersburg, and that Middleton would be furnished with powers to settle the differences between the two countries.[35]

The question as to who should be the possessor of the northwest coast of America was one of the most vital importance to the United States. At that time apparently the only question involved was the lucrative trade of the Americans with the natives of that region. But back of that there

[33] Same to same. April 12/24, 1823. American State Papers, For. Rel., vol. 5, p. 435.

[34] Stratford Canning to George Canning. May 3, 1823. Proceedings of the Alaskan Boundary Tribunal, vol. 2, p. 120.

[35] J. Q. Adams to Baron Tuyll. May 7, 1823. American State Papers, For. Rel., vol. 5, pp. 435–436.

were graver and more far-reaching consequences for the American foreign policy. There were involved the relations of the United States with Russia, American territorial rights, the boundary relations between the United States and the British North American dominions, the fisheries in the Pacific, the commerce with the Sandwich Islands and China and the American boundary with Mexico.[86]

At a meeting of the cabinet on June 28, 1823, the secretary of state was directed to instruct Middleton to propose to the Russian government an article similar to that in the convention between the United States and Great Britain of October, 1818.[87]

On July 17, 1823, Baron Tuyll inquired of Adams what would be the purport of Middleton's instructions for the northwest coast negotiations. Adams told him as much as he thought prudent, but especially that the United States would contest the right of Russia to any territorial establishment on the American continent, and that they would distinctly assume the principle that the American continents were no longer subjects for any new European colonial establishments. Tuyll replied that although there would be difficulties in the negotiations, he did not foresee that they would be insurmountable.[88]

As Adams made a thorough study of the northwest coast question,[89] it was not until July 22, 1823, that he sent Middleton his instructions with regard to it. The points in dispute, Adams said, were Russia's claims "to an exclusive territorial jurisdiction from the forty-fifth degree of north latitude on the Asiatic coast to the latitude of fifty-one north on the western coast of the American continent," and to "the right of interdicting the *navigation* and fishery of all other nations to the extent of one hundred miles from the whole

[86] J. Q. Adams to Richard Rush. July 22, 1823. American State Papers, For. Rel., vol. 5, p. 446.
[87] J. Q. Adams, Memoirs, vol. 6, p. 158.
[88] Ib., p. 163.
[89] Ib., p. 159.

of that coast." As the United States could admit no part of these claims, Middleton was to propose that by a joint convention between the United States and Great Britain and Russia the whole of the northwest coast should be free and open for navigation and trade with the natives for a term of ten years. With regard to the territorial claim, separate from the right of traffic with the natives and from any system of colonial exclusion, Middleton was authorized to agree to the fifty-fifth degree of north latitude as the boundary line.

Middleton was further informed that as the British ambassador at St. Petersburg was likewise authorized and instructed to negotiate upon this subject, it might be proper to adjust the interests and claims of the three powers by a joint convention, and for such an event he was accordingly authorized.[40]

The first information that Middleton received that the negotiations upon the ukase of September 4/16, 1821, would be again transferred to St. Petersburg was from Nesselrode. By Sir Charles Bagot he was likewise first informed that a joint negotiation between themselves and the Russian ministry was contemplated.[41]

From Adams's conversation with Stratford Canning when he proposed the joint negotiation the British government drew the conclusion that this joint negotiation was to be in regard only to Russia's maritime pretensions.[42] Therefore Sir Charles Bagot informed Nesselrode that there was a probability that Middleton and himself would soon be instructed to act jointly in negotiating with him some proposition for the definite settlement of that part of the question growing out of the ukase of September 4/16, 1821, which regarded the maritime jurisdiction claimed by Russia on the Pacific Ocean. In regard to the second part of the question, that which related to the territorial claim advanced by Russia

[40] J. Q. Adams to H. Middleton. July 22, 1823. American State Papers, For. Rel., vol. 5, pp. 436–438.
[41] H. Middleton to J. Q. Adams. Sept. 19, 1823. Ib., p. 448.
[42] George Canning to Sir Charles Bagot. July 12, 1823. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 123–124.

to the northwest coast of North America, he said that, as the United States made no pretension to territory as high as the fifty-first degree of north latitude, the question rested between England and Russia alone and became therefore a matter for separate settlement by their respective governments.[43]

Shortly after Middleton's receipt (October 16, 1823) of his instructions to open negotiations he had several conferences with Poletica, who during Nesselrode's absence from St. Petersburg had been authorized to hold conferences with the English and American plenipotentiaries relative to the matters in dispute, which conferences were to prepare the way for a definitive adjustment of differences.[44] Middleton soon discovered that Poletica had no powers to conclude anything, but only to hold *pourparlers*, or, in other words, simply to discuss matters. He also found out that there was a great divergence of opinion between them which would render fruitless all attempts at coming to an understanding with him. So he was not sorry when an incident arose which offered an opportunity to decline further conference with Poletica until it could be renewed with a better prospect of success.[45]

Bagot and Middleton likewise had at the same time several conferences, and although Middleton had not communicated to the British ambassador his instructions, Bagot saw very clearly that the United States, far from admitting that they had no territorial pretensions as high as the fifty-first degree of north latitude and no territorial interest in the demarcation of a boundary between the Russian and English governments north of that degree, as the British cabinet had supposed, on the contrary were "fully prepared to assert

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[43] Sir Charles Bagot to George Canning. Aug. 19/31, 1823. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 125–127.

[44] Count Nesselrode to H. Middleton. Aug. 22, 1823. American State Papers, For. Rel., vol. 5, p. 448.

[45] H. Middleton to J. Q. Adams. Nov. 1/13, 1823. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 57–58.

that they have at least an equal pretension with those powers to the whole coast as high as the sixty-first degree, and an absolute right to be parties to any subdivision of it which may now be made." He saw also that the United States desired that a "division being made, the three powers should enter into a joint convention mutually to grant to each other, for some limited period, renewable at the pleasure of the parties, the freedom of fishery and of trade with the natives, and whatever other advantages the coasts may afford." As such claims by the United States had not been contemplated by the British government, Sir Charles Bagot informed Middleton that, as his powers and instructions were only sufficient to settle the maritime question, he could not proceed any farther with him in the matter until he had received new instructions from his home government. Middleton then seized this opportunity to suspend further proceedings with Poletica.[46]

A revolution had broken out in Spain. At the congress held at Verona in October, 1822, the Czar was bent upon sending a Russian army to take part, as the mandatory of Europe, in the overthrow of the Spanish liberal constitution. But in this he was checked by England and France. The consent of Russia, Austria, and Prussia was given, however, to France to undertake the task, and in April, 1823, a French army invaded Spain and by its means Ferdinand VII. was restored to absolute power again.[47]

In the early part of the year 1822 the United States had recognized the revolted Spanish provinces in South America as independent states.[48] From the British government now came the news that the allied powers were going to consider the question of restoring these colonies to the dominion of

[46] Sir Charles Bagot to George Canning. Oct. 17/29, 1823. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 129–130; H. Middleton to J. Q. Adams. Nov. 1/13, 1823. American State Papers, For. Rel., vol. 5, p. 449.

[47] Fyffe, History of Modern Europe, vol. 2, pp. 212–225; Skrine, Russia, p. 72.

[48] Snow, Treaties and Topics in American Diplomacy, p. 263.

Spain.[49] On October 16, 1823, Baron Tuyll announced to the secretary of state in a note that the Emperor of Russia, having been informed that the republican government of Colombia had appointed diplomatic agents to the various European courts and that one was to be sent to St. Petersburg, had declared that he would not receive any agent whatsoever, whether he be from Colombia or from "any of the other governments *de facto* which owe their existence to events of which the new world has been for some years the theater."[50] At the same time the Baron informed Adams that the Emperor had seen with great satisfaction the declaration of the American government, when it recognized the new governments in South America, that it would remain neutral, and the Emperor hoped that it would now maintain the same policy. He was answered that when that declaration of neutrality was made by the United States the other powers of Europe had not taken side with Spain; that they were then neutral, but should they change their policy, the state of things in which the neutrality of the United States was declared being altered, they would not be bound by that declaration.[51]

Shortly afterwards, on November 17, 1823, Baron Tuyll communicated to the secretary of state an extract of a letter from his government in which the conduct of the allied powers in regard to Naples, Spain and Portugal was reviewed and their policy explained, distinctly avowing their determination to crush all revolutionary movements and thereby to preserve order thoughout the whole civilized world.[52]

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[49] J. Q. Adams, Memoirs, vol. 6, pp. 177–184.

[50] Baron Tuyll to J. Q. Adams. Oct. 4/16, 1823. Russian Legation, vol. 1. MS., State Department Archives.

[51] J. Monroe to T. Jefferson. Dec. —, 1823. Writings of James Monroe, vol. 6, pp. 343–344; J. Q. Adams, Memoirs, vol. 6, pp. 181–182.

[52] J. Monroe to T. Jefferson. Dec. —, 1823. Writings of James Monroe, vol. 6, pp. 343–344; J. Q. Adams, Memoirs, vol. 6, p. 160; W. C. Ford, John Quincy Adams and the Monroe Doctrine, American Historical Review, vol. 8, pp. 30–32.

This communication Adams answered by an informal note in which he declared "that the United States and their government could not see with indifference the forcible interposition of any European power, other than Spain, either to restore the dominion of Spain over her emancipated colonies in America, or to establish monarchical governments in those countries, or to transfer any of the possessions heretofore or yet subject to Spain in the American hemisphere to any other European power."[53]

The proposals of Canning to Rush for an understanding between their respective governments on South American affairs,[54] the conduct of the allied powers in Europe, and these communications of the Russian minister, especially coming so soon after the extravagant claims of Russia to the northwest coast, left little doubt in the minds of the President and his advisers that some project against the South American republics was contemplated by the allied powers.[55] Monroe and his cabinet were in a state of great alarm. They feared, among other things, that the allies, having been successful in restoring to Spain her colonies, might turn against the United States as the first example of successful democratic rebellion.[56] To check any act of aggression or expansion which the allies or any European power might have in mind with regard to the American continent, and to answer the propositions made by Canning, but in such a way as not to offend or create a crisis with any European nation, the President declared to be the position and policy of the American government in his message to Congress of December 2, 1823.[57] This policy here stated has since become known as

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[53] W. C. Ford, John Quincy Adams and the Monroe Doctrine, American Historical Review, vol. 8, pp. 41–44; J. Q. Adams's Memoirs, vol. 6, pp. 211–215.

[54] Latané, Diplomatic Relations of the United States with South America, pp. 74–80.

[55] J. Monroe to T. Jefferson. Dec. —, 1823. Writings of James Monroe, vol. 6, pp. 343–344.

[56] J. Q. Adams, Memoirs, vol. 6, p. 306.

[57] J. Monroe to T. Jefferson. Dec. —, 1823. Writings of James Monroe, vol. 6, pp. 343–344.

the Monroe doctrine. After informing Congress that the American minister to Russia had been given full power and instructions to arrange by amicable negotiation with that country the respective rights and interests of the two nations on the northwest coast of America, President Monroe said: "In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers." Further on in the message the President commented upon the state of affairs in Spain and Portugal and their bearing on the South American question. And in this connection he said: "In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded, or seriously menaced, that we resent injuries, or make preparation for our defence. With the movements in this hemisphere, we are, of necessity, more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different, in this respect, from that of America. . . . We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers to declare, that we should consider any attempt on their part to extend their system to any portion of this hemisphere, as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have their independence, and maintained it, and whose independence we have . . . acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling, in any manner, their destiny, by any

European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. . . . . Our policy, in regard to Europe, . . . is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy; meeting, in all instances, the just claims of every power; submitting to injuries from none. But, in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness: nor can any one believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference."[88]

England had been hesitating about issuing instructions to her ambassador at St. Petersburg to combine his negotiations there with those of the American minister. The British government was unwilling to acknowledge that the United States had territorial claims on the northwest coast of America. It was feared also that there might be an understanding between Russia and the United States, or that they might come to one, which would force upon Great Britain some unfavorable agreement. The British cabinet was in this state of uncertainty when the news of President Monroe's message to Congress arrived. Seizing upon this as an excuse, Bagot was ordered to proceed independently in the negotiations.[89] In informing Middleton of this decision of his government, Sir Charles Bagot showed him a secret memorandum in Canning's own handwriting which stated that "the principle laid down with respect to colonization

[88] Messages and Papers of the Presidents, vol. 2, pp. 209–211.
[89] George Canning to Sir Charles Bagot. Jan. 15, 1824. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 144–149.

in the speech of the President of the United States (to which Great Britain does not assent) must be so particularly displeasing to Russia that it may be expected to create some difficulty in the negotiation between Russia and the United States. At all events, it must interpose a difficulty to that union of counsels between the United States and Great Britain without which concert would not be advantageous."[80]

Middleton had in the meanwhile grown impatient that Bagot's further instructions were not forthcoming, and unwilling to delay any longer, he took the opportunity, when Nesselrode mentioned the northwest question, of presenting to him a confidential memoir in which he had embodied the case of the United States.[81]

When, to his great surprise, Middleton received the news that England would treat independently of the United States, he at once informed both Count Nesselrode and the British ambassador that if any attempt was made to negotiate upon the territorial question without the participation of the United States, he would protest in the strongest terms.[82]

England's excuse for not joining with the United States in this negotiation had been that the reference to colonization in the President's message of December 2, 1823, would cause difficulty in the negotiation between Russia and the United States. And yet, although "the decided tone of the President's message at the meeting of Congress was considered generally as having gone too far towards deciding the question against interference,"[83] Middleton found that the Russian government was as well disposed to treat with him as ever. On February 9, 1824, the first conference

[80] George Canning to Sir Charles Bagot. Jan. 7, 1824. Proceedings of the Alaskan Boundary Tribunal, vol. 2, p. 69.
[81] Henry Middleton to J. Q. Adams. Feb. 5/17, 1824. American State Papers, For. Rel., vol. 5, p. 457.
[82] Same to same. April 7/19, 1824. Ib.
[83] H. Middleton to J. Q. Adams. Feb. 5/17, 1824. Despatches, Russia, vol. 10, no. 34. MS., State Department Archives.

took place between Count Nesselrode and Middleton upon the northwest coast question.[64]

At this conference Count Nesselrode opened the negotiation by declaring that he believed it would be best to waive all discussion upon abstract principles of right and upon the actual state of facts, and that they must endeavor to settle the differences which had arisen between their governments on "the basis which might be found most conformable to our *mutual interests.*" Middleton stated that he was perfectly willing to accede to this, but he must reserve the right, which Nesselrode would of course retain on his part, of invoking occasionally such principles of international law, and of alleging such facts as they might, respectively, deem necessary to the defense of the rights and interests of either party. Nesselrode then asked Middleton if he had prepared any project of a convention for the settlement of the disputed points. In reply Middleton presented him with two papers, the first of which was called the "State of the Question."

In this paper Middleton declared that:

"The United States, by their discovery of the mouth of the Columbia River and by their subsequent *real occupation* and continued possession of a district on the same part of the northwest coast of America, have perfected their right of sovereignty to that territory.

"By the third article of a convention with Great Britain, concluded October 20, 1818, they stipulated "that any country that might be claimed by either party on the northwest coast of America westward of the Stony Mountains should, together with its harbors, bays, and creeks, and the navigation of all rivers within the same, be free and open, for the term of ten years from that date, to all vessels, citizens, and subjects, of the two powers, without prejudice to the claims of either party or of any other State."

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[64] Same to same. Feb. 25 (O. S.), 1824. Proceedings of the Alaskan Boundary Tribunal, vol. 2, p. 68; Same to same. April 7/19, 1824. American State Papers, For. Rel., vol. 5, p. 458.

"By a convention with Spain of February 20, 1819, the United States acquired all the rights, claims and pretensions, of that power to all the northwest coast lying north of the forty-second parallel of latitude. The claims of Spain appear to have rested on *prior discovery*, as far as the fifty-ninth degree north. So far, then, as prior discovery can constitute a foundation of right, the northwest coast as far as the fifty-ninth degree north belongs to the United States by the transfer of the rights of Spain.

"Great Britain has no establishment or possession on any part of the northwest coast. She has, therefore, no right, claim, or pretension to any portion thereof, except such as may result from the convention with Spain concluded October 28, 1790. It is, then, evident that her claim is concurrent with those of the United States, and can only reach to whatever point these last may be considered to extend.

"It appears, then, that Russia and England can not make a definitive arrangement without the participation of the United States, or at least going to their exclusion. Any agreement which these two powers may make will be binding upon themselves, but cannot affect the rights of a third power.

"The United States offer to Russia an article of the same import with that of October, 1818, with Great Britain, to be in force for the term of ten years. By offering free and equal access to navigation and intercourse within the limits to which their claims are indisputable, they concede much more than they obtain.

"With regard to territorial claim, separate from any system of exclusion, they are willing to agree to the boundary line within which the Emperor Paul had granted exclusive privileges to the Russian Company, that is to say, latitude fifty-five.

"If the Russian government apprehends serious inconvenience from *illicit traffic* with their settlements, it may be

guarded against by stipulations similar to those in the annexed project."

This annexed project was the second paper and had been sent to Middleton by Adams in his letter of instructions of July 22, 1823. By it the agreement was to be made that the citizens and subjects of the two countries should not be disturbed or molested, either in navigating or in carrying on their fisheries in any part of the Pacific, or in landing on the coast thereof in places not already occupied, for the purpose of carrying on their commerce with the natives of the country. This privilege was to be subject to two restrictions, first, that the citizens of the United States should not land on any part of the coast actually occupied by Russian settlements, without the permission of the governor, while Russian subjects were, in like manner, to be forbidden to land without permission at any settlement of the United States on the northwest coast; and second, that on that coast or on any of the islands adjacent thereto the United States were not to make any settlements north of the fifty-fifth degree of north latitude, nor the Russians any south of that parallel. These papers Nesselrode said he would submit to the Emperor and closed the interview.[88]

The second conference took place February 20 (O. S.). Poletica was present, having been joined to Nesselrode as a second imperial plenipotentiary. Middleton and Nesselrode and Poletica then exchanged their respective powers. Nesselrode presented a counter-project, consisting of a French translation of Middleton's project, with some insertions, alterations and additions. These consisted in making fifty-four degrees forty minutes instead of fifty-five degrees the line of demarcation between the spheres of America and Russian colonization, and in prohibiting the citizens of the United States from resorting "to any part of the coasts already occupied by Russian establishments, or belonging to

[88] H. Middleton to J. Q. Adams. April 7/19, 1824, and inclosures D and E. American State Papers, For. Rel., vol. 5, pp. 458, 463–464.

Russia" above that line of demarcation, while reciprocally the subjects of Russia were not to resort, without permission, "to any establishment of the United States upon the northwest coast" below that line. American vessels, however, were to be admitted to New Archangel. To these alterations Middleton objected and told the Russian plenipotentiaries that his instructions required that he should obtain two points as necessary conditions before he should agree to a line of demarcation. These conditions were, first, the revocation, either spontaneous or by convention, of the maritime provisions of the ukase, and second, the adoption of the commercial principle (or something similar) agreed upon between the United States and Great Britain in their convention of 1818 in relation to the northwest coast; finally, when these preliminaries were settled, then a territorial delimitation at fifty-five degrees might be agreed upon. Poletica replied in strong terms that he would never sign any instrument allowing American ships free admission to the Russian coast, but Nesselrode remained silent. Middleton then agreed to take the Russian counter-project under consideration.[60]

A third conference was held three days later. Middleton, in turn, presented a counter-project in which he accepted fifty-four degrees forty minutes as the line of demarcation, but he limited the prohibition to visit the possessions of the other power, without consent, to places occupied by settlements, while he demanded that the vessels of both powers be permitted to fish and to trade with the natives of all that country without molestation for a period of ten years from the signing of the treaty. In making this concession of fifty-four degrees forty minutes instead of fifty-five degrees, Middleton said that he was exceeding his instructions, but that he did it because the Russian plenipotentiaries had said that they had demanded it only in order to preserve two points of the

[60] H. Middleton to J. Q. Adams. April 7/19, 1824, and inclosure G. American State Papers, For. Rel., vol. 5, pp. 458–459, 465.

island in which the port called Bucarelli by the Spaniards was situated. Nesselrode declared that he considered as utterly inadmissible the provision for the free admission of American vessels to all parts of the coast, including free trade with the natives. Upon Middleton's responding that nothing could be done without it, the Count replied that he would take the proposition *ad referendum*. Middleton saw that the Russian plenipotentiaries were reluctant to admit the principle of free trade in any form. In order that they might appreciate the advantage they would derive from delimitation and be willing to pay a price for it, Middleton told them that he had an alternative to offer which, leaving the line of demarcation undecided, might settle all difficulties as far as the United States were concerned. This was that they should agree that all the coast to which they respectively laid claim should be free and open to the citizens and subjects of the two nations reciprocally without prejudice to the claims of either party or of any state, for a term of ten years or until the contracting parties should come to some agreement respecting the limitation of their possessions in that region.[87]

It was two weeks before another conference was held. This took place on March 8. Nesselrode said that they accepted the project which Middleton had made at the last meeting, but with the modification that Russia would allow only the fishing to be free and open, and that for a term of only five years instead of ten as Middleton had proposed, while no trade would be allowed with the natives at all. Middleton protested against any such changes in his project. He said that it would amount merely to a stipulation that the United States should enjoy, as a privilege and for a very limited period, what they were then entitled to by the law of nature, in common with all other independent nations, *i. e.*, the fisheries upon an unoccupied coast. He thereupon pre-

[87] H. Middleton to J. Q. Adams. April 7/19, 1824, and inclosures H and I. American State Papers, For. Rel., vol. 5, pp. 459, 465.

sented to the Russian plenipotentiaries a paper in which he briefly stated the weakness of Russia's territorial claims. Rather than open up the question of the legality of Russia's title to the territory, the Russian plenipotentiaries seemed to be willing to concede the provisions relative to reciprocal trade privileges, provided the trade in fire-arms and ammunition was prohibited. To this Middleton objected on the grounds that such a prohibition could not be carried out without the right of search, and that other nations might profit by it. However, he declared that as the question was new to him and entirely unprovided for in his instructions, he would take it under consideration.[88]

It was some time before another conference took place, the delay being due partly to the illness of the Emperor and partly, as Middleton supposed, to give time for consultation with the directors of the Russian American Company. At length, on March 22, Poletica called upon Middleton and left with him a project of a convention. By this project the citizens and subjects of the contracting powers were to be at liberty to navigate and fish in the Pacific and to resort to the coasts at points not already occupied, for the purpose of trading with the natives. But the citizens of the United States were not "to resort to any point of the coasts already occupied by Russian establishments" without permission, and reciprocally the subjects of Russia were not to resort, without permission, "to any establishment of the United States on the northwest coast." And "that in the respective possessions" of the two powers on that coast, the United States were not to form any establishment north of fifty-four degrees forty minutes of north latitude, nor Russia any south of that parallel. However, the vessels of the two powers were to be permitted reciprocally to frequent the possessions of the two powers on the northwest coast, for fishing and trading with the natives of the country, for a term of ten

[88] H. Middleton to J. Q. Adams. April 7/19, 1824, and inclosure K. American State Papers, For. Rel., vol. 5, pp. 459–460, 465–466.

years. But the sale of fire-arms, other arms, powder and munitions of war was to be prohibited. On leaving this project Poletica told Middleton that the prohibition of a trade in arms and ammunition was a *sine qua non*, and that the Emperor wished, from views of benevolence, to add thereto all kinds of spirituous liquors. Nesselrode also informed Middleton of this by note.[69]

Middleton strongly objected to any prohibition upon trade, as it appeared to him that such restrictions might be converted into a pretext for vexations upon American commerce, if seizure or confiscation were permitted, while, on the other hand, it seemed likely that all other modes of carrying the prohibition into effect would be nugatory. But as he had been told that the prohibition was a *sine qua non*, he presented at the next meeting, two days later, a project which was based upon that of Poletica's, but differed from it in that he prohibited the citizens of the United States from resorting "to any point where there is a Russian establishment" without permission, and in that he forbade absolutely the establishment of settlements by the United States north of fifty-four degrees forty minutes, and by Russia south of that parallel. In explanation of the prohibition of fire-arms, etc. (which he accepted), Middleton added that it was to be well understood that, in any case, this restriction upon trade was not to be considered to authorize, under the pretext of a contravention of the prohibition, the visits to colonies, or the detention of vessels, or the seizure of merchandise, or any vexations exercised towards the owners or crews employed in this commerce.[70]

Four days later Poletica brought Middleton another counter-project which accepted all of Middleton's of March 24, except that it stated that the prohibition of fire-arms, etc.,

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[69] H. Middleton to J. Q. Adams. April 7/19, 1824, and inclosure L. American State Papers, For. Rel., vol. 5, pp. 460, 466; Count Nesselrode to H. Middleton. March 20, 1824. Ib., p. 466.

[70] H. Middleton to J. Q. Adams. April 7/19, 1824, and inclosure N. American State Papers, For. Rel., vol. 5, pp. 460, 467.

should not "be deemed to authorize . . . the visit, or the detention of vessels, the seizure of merchandise, or, in fine, any arbitrary measures whatsoever," etc. Middleton had used "vexations" in his project where Poletica now used "arbitrary measures," and he did not consider this to be sufficiently concise, as it left the Russian government at liberty to adopt regulations and to carry them into effect, because it could not be said that such regulations were arbitrary. Therefore at the meeting of March 31 Middleton proposed that the sale of all spirituous liquors, fire-arms, other arms, powder, and munitions of war of every kind to the natives should be prohibited, and "It is likewise stipulated that this restriction shall never serve for a pretext, nor be alleged, in any case to authorize either the search or detention of vessels, or the seizure of the merchandise, or, in fine, any measures of constraint towards the merchants or the crews who may carry on this commerce." At the same time Middleton proposed this clause: "It is nevertheless, understood that, during a term of ten years, to be counted from the signing of the present convention, the ships of the two powers, or which belong to their citizens or subjects, respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbors, and creeks upon the coast . . . , for the purpose of fishing and trading with the natives of the country."

In order to make these proposals acceptable to the Russian plenipotentiaries, Middleton included spirituous liquors in the list of prohibited articles. The Russians at once accepted Middleton's suggestion as to the prohibited articles, but his other proposal became the subject of a warm debate which extended over into the meetings of April 1 and 2. The Russian plenipotentiaries were exceedingly anxious to introduce into the convention a substantive stipulation,—that the privilege to trade upon the northwest coast should absolutely cease after ten years. Such a stipulation Middleton strenuously resisted in all shapes, declaring that the United States

retained a hope that their trade would become valuable and indispensable to the Russian settlements before the expiration of the period specified, and that he was not authorized to enter into any stipulation of the nature desired by the Russian envoys. After three conferences, in which this point was the principal object of discussion, the Russian plenipotentiaries agreed to adopt Middleton's article, provided that he sign with them a protocol "that the reciprocal right to trade granted by this stipulation can not be extended beyond the said term but by mutual consent." To this Middleton agreed, and the protocol was signed April 2/14, 1824. The preliminaries having thus been arranged, Middleton, Nesselrode and Poletica, on April 5/17, 1824, signed the convention, the first one to be concluded between the United States and Russia.[71]

The provisions of this treaty were:

Art. I. It is agreed that, in any part of the Great Ocean, commonly called the Pacific Ocean, or the South Sea, the respective citizens or subjects of the high contracting powers shall be neither disturbed nor restrained, either in navigation or in fishing, or in the power of resorting to the coasts, upon points which may not already have been occupied, for the purpose of trading with the natives, saving always the restrictions and conditions determined by the following articles.

Art. II. With a view of preventing the rights of navigation and of fishing exercised upon the Great Ocean by the citizens and subjects of the high contracting Powers from becoming the pretext for an illicit trade, it is agreed that the citizens of the United States shall not resort to any point where there is a Russian establishment without the permission of the governor or commander; and that, reciprocally,

[71] H. Middleton to J. Q. Adams. April 7/19, 1824, and inclosures P, Q, R, and S. American State Papers, For. Rel., vol. 5, pp. 460-461, 468-469.

the subjects of Russia shall not resort, without permission, to any establishment of the United States upon the northwest coast.

Art. III. It is moreover agreed that, hereafter, there shall not be formed by the citizens of the United States, or under the authority of the said States, any establishment upon the northwest coast of America, nor in any of the islands adjacent, to the north of fifty-four degrees and forty minutes of north latitude; and that, in the same manner, there shall be none formed by Russian subjects, or under the authority of Russia, south of the same parallel.

Art IV. It is, nevertheless, understood that during a term of ten years, counting from the signature of the present convention, the ships of both Powers, or which belong to their citizens or subjects, respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbors, and creeks, upon the coast mentioned in the preceding article, for the purpose of fishing and trading with the natives of the country.

Art. V. All spirituous liquors, fire-arms, other arms, powder, and munitions of war of every kind, are always excepted from this same commerce permitted by the preceding article; and the two Powers engage, reciprocally, neither to sell, nor suffer them to be sold, to the natives by their respective citizens and subjects, nor by any person who may be under their authority. It is likewise stipulated that this restriction shall never afford a pretext, nor be advanced, in any case, to authorize either search or detention of the vessels, seizure of the merchandise, or, in fine, any measures of constraint whatever towards the merchants or the crews who may carry on this commerce; the high contracting Powers reciprocally reserving to themselves to determine upon the penalties to be incurred, and to inflict the punishments in case of the contravention of this article by their respective citizens or subjects.

Art. VI. (This article deals with the exchange of ratifications.)[72]

The Russian American Company was much dissatisfied with this treaty, but the Russian government was well pleased. It appeared to them that their colonies were the greater gainers, since their relations to foreign states were fixed. It was article five which prohibited the sale of liquor and arms to the natives which gave them the most joy. It was considered the happy outcome of fifteen years of long protracted and difficult negotiations. They believed that the chief cause of all the disorders, quarrels and bloodshed which had heretofore prevailed in the region was now removed, and that the first solid foundation had been laid for the peaceful existence of their colonies. And the article granting to the Americans freedom of fishing and trade in the Russian possessions for ten years was also taken as a triumph of Russian diplomacy, first, because it was a "remuneration for the very considerable advantages" granted under the other stipulations, and second, because the Americans had already for many years carried on this trade and fishing, which the Russian American Company could not find means to oppose. Moreover, it would be better for the company that the Americans should carry these on by permission granted to them by Russia, in a solemn convention, as through this they would recognize that Russia had the legal right to prohibit both trade and fishing in this region, than that the Americans should carry on these trades as they had done before by a natural and indefeasible right, as it were.[73]

The treaty was, however, a diplomatic victory for the United States. It was, first of all, a recognition by an interested party of the territorial claims of the United States upon the northwest coast. It restricted the claims of Russia to fifty-four degrees forty minutes. True, Middleton had been

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[72] American State Papers, For. Rel., vol. 5, p. 433.

[73] Count Nesselrode to Admiral Mordvinof. April 11, 1824. Proceedings of the Alaskan Boundary Tribunal, vol. 2, pp. 166–169.

instructed to demand the parallel of fifty-five degrees as the line of demarcation; and yet had he refused this small concession that Russia might include within her bounds the point of an island which had already been allowed her, Middleton, in all probability, would not have been able to obtain his treaty, for it was upon this point that the Russian government broke off negotiations with Sir Charles Bagot.[74] Middleton fulfilled his instructions in obtaining an article for mutual free trade for ten years similar to that made with Great Britain in 1818, and this was even more advantageous, for at its expiration all those places above fifty-four degrees forty minutes yet unoccupied by Russia would be still open and free to Americans. And in return for all this the United States conceded only two minutes of territory to which their claim was very doubtful, and a prohibition of trade in spirituous liquors and fire-arms, which prohibition they themselves were to control.

To President Monroe the treaty was very satisfactory. He considered that it was all that the United States could have asked for, and that, by entering into negotiations with the United States separately and making concessions to them, especially that relating to navigation, the Emperor had shown great respect for that country. He also thought that the event derived additional importance from the fact that the treaty had been concluded after the arrival at St. Petersburg of the message to Congress of December 2, 1823, which expressed sentiments so strongly adverse to the principles entertained by the Holy Alliance.[75] Under the influence of this belief Monroe said in his message of December 7, 1824, that the manner in which the negotiations of the convention of April 5/17, 1824, were invited and conducted on the part of the Emperor of Russia had been very satisfactory to the

[74] H. Middleton to J. Q. Adams. April 7/19, 1824. American State Papers, For. Rel., vol. 5, p. 461.

[75] J. Monroe to T. Jefferson. Aug. 2, 1824, and Oct. 18, 1824. Writings of James Monroe, vol. 7, pp. 31–32, 42; J. Q. Adams, Memoirs, vol. 6, p. 403.

American government.[76] But the real significance of this treaty was not recognized in the United States. Whether intentionally or not, Russia by this treaty abandoned forever her policy of expansion in America.

Before the treaty was sent to the Senate for ratification, Baron Tuyll came to Secretary Adams and told him that the Russian American Company, having learned the purport of the convention, were extremely dissatisfied with it, and by means of their influence had prevailed upon his government to send him instructions upon two points. The first was that he should deliver, upon the exchange of the ratifications of the convention, an explanatory note, stating that the Russian government did not understand that the convention granted to the citizens of the United States liberty to trade on the coast of Siberia and with the Aleutian Islands. The other was to propose a modification of the convention, by which American vessels should be prohibited from trading on the northwest coast of America north of latitude fifty-seven degrees. Adams replied that a modification of the convention could not be made except by a new convention, and that the construction, as concluded, belonged to other departments of the government for which the executive had no authority to make stipulations. He added that the convention would be at once transmitted to the Senate, and that if anything affecting its construction or modifying its meaning were to be presented on the part of the Russian government before or at the exchange of ratification, it must be laid before the Senate, which might cause the defeat of the treaty. Adams advised the Baron to wait until after the convention was ratified before presenting his note in order to see how the convention worked, and he said that he was sure there would be no cause of complaint about it; if there should be, then would be the time for adjusting the construction or negotiating a modification of it. The Baron accepted this suggestion, saying that while he knew all this,

[76] Messages and Papers of the Presidents, vol. 2, p. 251.

he had only acted in obedience to his instructions. He therefore requested Adams to consider what had passed between them as if it had not taken place, to which Adams readily consented.[77]

The President sent the convention to the Senate on December 13, 1824.[78] Here it met with no opposition, although the article restricting the trade with the natives was thought exceptional and it was believed that it would have no result favorable to the views of Russia so long as the British commerce on the coast was not restricted in like manner.[79] Ratifications were thereupon exchanged on January 11, 1825,[80] and on the next day the fact was proclaimed by the President.[81]

Before the conferences with regard to the treaty of 1824 took place Middleton undertook to carry on another negotiation. On August 13, 1823, instructions had been sent to him to propose to the Russian government an improvement in the regulation of neutral and belligerent rights in time of war. For a basis of his negotiations he was sent a copy of a draft of a convention on this subject which had been recently sent to Rush. This draft proposed the perpetual abolition of private war on the sea. It combined all the essential principles of the armed neutrality and added thereto the exemption from capture and confiscation of the merchant vessels and cargoes belonging to the subjects of belligerents. It embodied the proposal that free ships make free goods and persons, and that neutral property should be free, even though laden in an enemy's vessel. Materials used in the construction of ships were to be declared non-contraband, while the practice of impressing American sailors upon the high seas was to be abolished. Immediately upon the re-

[77] J. Q. Adams, Memoirs, vol. 6, pp. 435–436.
[78] Messages and Papers of the Presidents, vol. 2, p. 265.
[79] J. Q. Adams to H. Middleton. Jan. 29, 1825. Instructions, vol. 10, no. 21.
[80] J. Q. Adams, Memoirs, vol. 6, p. 465.
[81] American State Papers, For. Rel., vol. 5, p. 583.

ceipt of these instructions Middleton sent this project to Nesselrode, informing him that the American government not only wished to conclude a treaty with the Emperor upon the principles stated in it, but also hoped "to be able to engage him to use his influence for obtaining the accession of other maritime powers."[82]

It was not until two months later that Nesselrode, then on the eve of settling the northwest coast question, answered this overture. He said that the principles which the United States invited the Emperor to recognize and sanction would not be of great utility, except in so far as they would have a general application, and that it could be only by the general agreement of all the other powers that those measures could produce the intended effect. But as the Emperor sympathized with the wishes of the American government, "as soon as the Powers whose concert he considers as indispensable should have shown the same disposition, he will not be wanting in authorizing his ministers to discuss the different articles of an act which would be a crown of glory to modern diplomacy."[83]

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[82] J. Q. Adams to Richard Rush. July 28, 1823. American State Papers, For. Rel., vol. 5, pp. 529–533; J. Q. Adams to H. Middleton. Aug. 13, 1823. Instructions, vol. 10, no. 19; H. Middleton to Count Nesselrode. Dec. 5, 1823. Despatches, Russia, vol. 10, no. 34, inclosure A. MSS., State Department Archives.

[83] Count Nesselrode to H. Middleton. Feb. 1, 1824. Despatches, Russia, vol. 10, no. 34, inclosure B. MSS., State Department Archives.

Conclusion.

In the foregoing narrative it has been shown, among other things,

1. That Dana's return from Russia without being received at the Russian court was not due to the hostility of the Russian government;

2. That Short never went any farther than France on his mission;

3. That the beginning of formal diplomatic relations between the two countries was simultaneous and voluntary on the part of each country, yet due to the condition of European affairs;

4. That the Russian offer of mediation in the war of 1812 was made to prevent an alliance between the United States and France, and that it was not made to Great Britain at the same time as to the United States, as was claimed by Russia;

5. That, even after England's refusal of the Russian mediation, the United States endeavored to secure the influence of the Emperor of Russia in moderating the demands of England;

6. That the actions of Daschkoff and of the Russian government in the Kosloff affair were a *casus belli* which the firmness of the American government avoided and turned into a triumph for itself;

7. That, as a consequence of the Kosloff and Harris affairs, Russia accepted the principle that there was no code of consular immunities;

8. That Russia invited the United States to accede to the Holy Alliance in order to prevent her from acting with Great Britain and from acknowledging the independence of the Spanish-American colonies;

9. That Russia used her influence with Spain to secure the ratification of the Florida treaty;

10. That Monroe's message of December 2, 1823, did not offend Russia;

11. That Russia was ready to treat with the United States on the question of the ukase of September 4/16, 1821, before she was ready to do so with England;

12. That the treaty of 1824 was highly satisfactory to the United States;

13. That up to 1815 the United States looked to Russia for protection against the aggressions of European nations, and from 1815 to the signature of the treaty of 1824 desired to be on the friendliest terms with her, but never, except at the time of Dana's mission, to enter into any political alliance with her;

14. That, from the time of Dana's mission to that of Campbell, a commercial treaty with Russia was eagerly sought by the American government, yet the United States would not accept one which carried with it any political engagements;

15. That, from the period of the Revolution, the United States wished to secure from Russia a recognition of more favorable neutral rights, and endeavored to obtain this recognition both by having it inserted in treaties of commerce and by separate negotiations;

16. That, from the beginning of formal diplomatic relations, it was the settled policy of Russia to cultivate the friendship of the United States in order to secure her as an ally against Great Britain.

AUTHORITIES.

There is no work which fully covers the period of this study. For different negotiations the best authorities are W. H. Trescot, The Diplomacy of the Revolution. N. Y., 1852; Theodore Lyman, The Diplomacy of the United States, being an Account of the Foreign Relations of the Country, from the first Treaty with France. 2d ed., 2 vols., Boston, 1828; Henry Adams, History of the United States. 9 vols. N. Y., 1889–91. The works of Lyman and Trescot are excellent, considering the sources available to them. Lyman discusses the claims of the United States to the northwest coast at the time of the signature of the treaty of 1824, but these claims did not enter into the negotiations. Adams's account of the Russian mediation is very suggestive, but not exhaustive nor quite accurate. Other authorities and collections of printed sources are fully quoted in the foot-notes. The extent of the manuscript sources used in the preparation of this study will be indicated by the titles of the collections given below.

MANUSCRIPT SOURCES.

Bancroft Manuscripts. Lenox Library, New York.
James A. Bayard's Letter-book. Lenox Library, New York.
Diplomatic Archives of the Department of State, Washington, D. C.
Jefferson Papers. Library of Congress, Washington, D. C.
Monroe Papers. Library of Congress, Washington, D. C.
Pickering Papers. Massachusetts Historical Society, Boston, Mass.
William Short's Letters. Library of Congress, Washington, D. C.
Sparks Manuscripts. Harvard College Library, Cambridge, Mass.